

February 1, 1991 LB 88

SENATOR KRISTENSEN: Let's get away from whether they're liable or not. Let's go to what money she might recover, be it from whomever, okay, because I think your question was noneconomic.

SENATOR CROSBY: Noneconomic, yeah, right.

SENATOR KRISTENSEN: Under my amendment, noneconomic damages are those sorts of things of humiliation, that people may know. That's pretty subjective. How do you put a dollar figure on that? I'd ask Senator Ashford the same question, under his bill you're going to have to have the same sorts of things. It's the same thing today. If she's going to sue for humiliation, how do you decide how much money that is? Maybe no one saw it. Maybe...if she didn't tell anybody, nobody would know, except her family, so her humiliation may be less. If she was on the front page of the paper, maybe that would be greater. So, the only time she would not be able to recover...

SPEAKER BAACK: Time.

SENATOR KRISTENSEN: ...would be in the case where there was someone else who was supposed to pay and couldn't pay, and she couldn't collect it from anybody else, then that is where my amendment takes over.

SENATOR CROSBY: Thank you.

SPEAKER BAACK: Thank you, Senator Crosby. We now proceed to Senator Ashford.

SENATOR ASHFORD: On the amendment, I waive.

SPEAKER BAACK: Senator Ashford waives. Also on the amendment, Senator Abboud. Okay. We have no further lights. Senator Coordsen, do you wish to close on your amendment to the amendments?

SENATOR COORDSEN: Thank you, Mr. Speaker, only briefly. Again, there have been a number of arguments made against this. It appears to me, as a lay person, that this would bring a little more fairness into the issue, does not require that anything be reduced by these amounts, only that the jury shall be informed of noncollateral...or collateral source payments, or the potential for payments. With that, I will close. Thank you,