

February 1, 1991 LB 88

better bill. To review with you, basically, what this does, this is solely when there are two defendants, people who have been sued, people who the plaintiff, or the person suing thinks these people did something wrong and you, the jury, have allocated a percentage of fault between those two. And you could also give the plaintiff a little bit of that fault. But you've given them percentages. What happens when one of those persons can't pay? Who do you look to? You look to the other defendant. My amendment goes, how much should that other defendant pay? I say they should pay all of the economic damages. I would agree with Senator Ashford. He talked about words objectively verifiable, I think he's right on that point. That probably is a very difficult point to prove. And no matter what happens to this later on, I'll agree with him to take those words out. I think he brings a good point. If you want to see LB 88 killed, no matter what you've probably heard outside the glass this morning, or from the phone calls that you have received, I urge you to look for the policy of this. And, if you want to kill LB 88, or you don't want to see it advance, then vote that way, then vote that way. I'd ask you to support my amendments. And, with that, Senator Baack, I would ask for...are we still under call?

SPEAKER BAACK: Yes, we are still under call. We are still looking for a couple senators.

SENATOR KRISTENSEN: Senator Johnson, come limping in. I would ask for a roll call, reverse order, please.

SPEAKER BAACK: Would you like all the members to be present before you have that?

SENATOR KRISTENSEN: Yes.

SPEAKER BAACK: Okay. We are still looking for Senators Lynch, Wesely, and Chambers. We still need Senators Lynch and Chambers. Senator Kristensen said that we should go ahead and proceed. We have a call for a roll call vote in reverse order. Mr. Clerk.

CLERK: (Roll call vote taken. See page 513 of the Legislative Journal.) 25 ayes, 15 nays, Mr. President, on adoption of the amendment.

SPEAKER BAACK: The first half of the Kristensen amendment is