

states, the Nebraska State Tort Claims Act deals with a different section of the law. It deals with something that is dealing with a different section, so in keeping with the rules that we have established for germaneness, I believe that it was a sound decision and the basic logic, I think, in speaking, if I may, to some of the newer members in the body, is that the idea behind germaneness is that you don't want to attach every single type of concept onto a particular piece of legislation that you feel is going to pass. Now we've all seen the problems that occur when the Congress of the United States chooses to Christmas tree a bill. One bill may be dealing with changing some transportation rules that are badly needed throughout the country and so a member of that body will seek to attach different bills that may be highly controversial to a bill that they see is going to pass. Now in the Congress they don't have this germaneness rule. But in the Nebraska Legislature, it's a part of the law, it's a part of the Constitution that we deal with one particular concept when we pass a piece of legislation, and by dealing with one particular concept, it allows the membership to look at the issue on its own merits. When members seek to add additional areas of the law into a particular bill, it really clouds the issue and I feel, and I do support the concept of having one issue dealing with one particular bill. Now as an aside I'd like to also focus in, because it was brought up earlier, about the question of what is this going to cost the State of Nebraska, if anything? Well, I'm going to rely upon a decision on a fiscal note that was written last year by Attorney General Bob Spire in which he stated along with a rather lengthy discussion in last year's fiscal note on LB, I believe it was 159, yes, that the cost to the state is minimal at the least and it's very difficult to determine if there will be any cost because the changes that are occurring are dealing with the question of negligence, not the question of damages. And I support the past Attorney General when he came to the conclusion that there could be actually a net savings to the State of Nebraska by adopting this change in the statute because you provide for diffusion of that money. In a slight gross standard usually you require, you receive 100 percent of those damages, whereas in the comparative negligence standard established in LB 88, some of those damages can be dispersed among the different defendants. And that's why I believe that the Attorney General was right on the money when he stated that this could actually be a net savings for the State of Nebraska, and for that particular reason I've always felt that it was a good bill for the state as well as counties and political