

SENATOR ASHFORD: All right.

SENATOR MOORE: I have to know I have cancer, I have to know I'm going to die if I smoke too much.

SENATOR ASHFORD: Well, I don't know, those cases are very, very complex. I'm sure what the tobacco industry wants is they want...and I'm sure this is where this amendment came from, but what they want is some kind of a reference in the sta...I think, Scott, what they want is to make sure that this bill does not do away with assumption of risk as it exists in Nebraska so that Nebraska will not become a haven for plaintiffs' cases against tobacco companies. That's what they want.

SENATOR MOORE: And that's what I want, too.

SENATOR ASHFORD: Right, and that's...what this does is this...

SENATOR MOORE: You're saying it goes too far. Okay. Well I'm not totally clear on the first sentence about what the proper thing is. I do know, in my reading of it, the words "specific" and "unreasonable" certainly take this...I mean, I'm not comfortable with those and you can shut Senator Ashford's light off, he can speak on his time now. But I would oppose the Will amendment. I...specifically, the specific and the unreasonable words, I would be opposed to simply because if you read that, as I read that, if you add those two words to that statute, it would significantly change the scope of the Schellpeper amendment, at least in my opinion. So, for those reasons, I would oppose the Will amendment.

PRESIDENT MOUL: Thank you, Senator Moore. I will now recognize Senator Abboud, followed by Senator Pirsch, Schellpeper, Landis and Kristensen. Senator Abboud.

SENATOR ABOUD: Yes, Madam President, colleagues, I will be short in my discussion. And the reason I will be is I'm going to be supporting the Will amendment because it keeps the law currently as it is. I know a principal concern has been raised throughout the debate on this issue that we're changing law, we're changing too many laws. And, as you might recall, when we first got into this debate, I had an amendment that strictly changed the law dealing with slight gross, just said, let's go to a comparative negligence standard where the law that we have