

February 13, 1991 LB 88, 262

the problem with is what we should deal with exclusively and not bring in additional legislation that has been bantered around throughout the years in the Capitol. And I think if we had adopted that approach right from the start, it was the very first amendment on LB 88, and we had stuck firm with that philosophy that we're only going to change the laws that need to be changed, then we would have been spending a lot less time on LB 88. We would have had a decision as to a philosophy, and would have had an up or down vote as to whether or not we should change the law when it comes to contributory negligence. Well, that's not apparently the philosophy of the sponsor of this particular amendment, Senator Stan Schellpeper. He feels that we should make some additional changes in the law. And I do have sympathy to the interests that are involved in this particular amendment. But, on the other hand, when you start bringing in legislation that deals with other topics, it's going to further muddy the waters. And, if you want some additional changes with the law, if you're not happy with the current negligence standard, then LB 262 is your boat to ride on, add all this cargo onto it and sail it on through Final Reading, and we'll see if it, see if it passes, see if it has the support to be enacted into law. What Senator Will's amendment provides for is to keep the current law as is. If that's their concern, if they feel there are some dramatic changes that are taking place in LB 88, let's put their doubts to rest, let's add the Senator Will amendment, keep the law as it is when we're dealing with assumption of the risk, and then add it into the bill, if they feel there's some jeopardy that this current law is being affected by it. I will support the Will amendment, and I would support the Senator Schellpeper amendment with the Will amendment added onto it. Thank you.

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

SENATOR PIRSCH: Thank you, Madam President. We need to spend the time to understand this, Senator Abboud. I realize all the lawyers know what we are doing here, but I think we should all understand. Senator Will, would you, would you read exactly what...your amendment, so we can all...

SENATOR WILL: Certainly.