

liability cases, there are some other cases that along the line there isn't any one specific day where the negligence occurred, but it occurred on a variety of days. I would like to make sure that it's our intent, and I would ask Senator Warner in his closing that if we embrace this concept that the operative date is the date where the cause of action accrues, and the accrue basically means when it's mature, when it's ripe, when it's occurred and those sorts of things, it's not the filing date. In other words, we won't set a date where everybody will rush in the last day of the year to file their case to get under the old law and try to avoid anything that they think may be of benefit. What we want to do is say after 1-1 of '92, any accidents or negligence that occur or accrue will be under the new system of law. And, with that, that would be my intention, that would be my reason for voting for this.

PRESIDENT MOUL: Thank you, Senator Kristensen. I'll now recognize Senator Conway, followed by Senator Abboud and Senator Pirsch. Senator Conway.

SENATOR CONWAY: Thank you, Madam President. I'd just like to call the question.

PRESIDENT MOUL: Motion to call the question. Seeing seconds, we will proceed to vote on the motion to call the question. All those in favor please vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays to cease debate, Madam President.

PRESIDENT MOUL: I'll now recognize Senator Warner for closing.

SENATOR WARNER: Madam President, members of the Legislature, I would just close by indicating that I would concur in the explanation as offered by Senator Kristensen as to the intent of this provision when it's adopted. As a matter of fact, I assume this issue, as he discussed it, would be the issue whatever the date the bill took effect. But I think it's beneficial that there is some lead time. With that, I'd move that the motion be adopted.

PRESIDENT MOUL: Thank you, Senator Warner. We'll now proceed to vote on the Warner amendment to LB 88. All those in favor please vote aye, opposed nay. Please record, Mr. Clerk.