

February 13, 1991 LB 88

PRESIDENT MOUL: I will remind the senators that they need to be recording their presence. We are under call. We are voting on the question to cease debate.

CLERK: Senator Pirsch voting yes.

PRESIDENT MOUL: We're looking for Senator Bernard-Stevens, Senator Chambers.

CLERK: Senator Landis voting yes.

PRESIDENT MOUL: We are still looking for Senator Bernard-Stevens and Senator Chambers.

CLERK: Senator Schmit voting aye.

PRESIDENT MOUL: Please record, Mr. Clerk.

CLERK. 25 ayes, 3 nays, Madam President, on the motion to cease debate.

PRESIDENT MOUL: Okay. The motion is approved and we will proceed with closing on the Ashford amendment. Senator Ashford.

SENATOR ASHFORD: Thank you, Madam President. Specifically to answer Senator Warner's question, he raises a good point and it's really the essence of what we're trying to do here. The amendment basic...what it only says is that 30-809 and 30-810, which enumerate damages for wrongful death, will remain in the law. How they are reallocated and apportioned, under LB 88, will be...is determined by LB 88. So, and the economic, you raised the question of economic-noneconomic, and that standard, or those definitions and standards would apply to wrongful death cases as well as every other case. It's simply that the damages that are in the law today on wrongful death still will be there. And they are somewhat unique, because obviously you have the death of someone, so they have unique types of damages that aren't necessarily in existence in all cases. So those unique types of damage will be still in the law, but they will be allocated pursuant to LB 88. That's the answer, that's the purpose of the amendment. With that, I would urge its passage.

PRESIDENT MOUL: Thank you, Senator Ashford. We'll now proceed to vote on the Ashford amendment to LB 88. All those in favor please vote aye, opposed nay. Have you all voted? Please