

particular action. The concern that is raised by Senator Lindsay, relative to mixing terminology and making sure that we're not contradicting ourselves, I don't believe that we are because, in essence, the...it is still a contributorily negligent statute. The definition of the change by the Legislature of approximately five years ago is generally referred to as comparative negligence because it brings in the responsibility of the various parties involved. But comparative negligence isn't used in the statute, so I don't believe that we're causing any trouble with the way that the current statutes are written. I want to make sure that people understand that what we're attempting to accomplish, and will continue to work with others on trying to accomplish, is making sure that we have a good faith attempt to balance the public policy related to the need to pursue those that break our laws and the need to continue to provide the safety net for those individuals that are innocent victims of that first policy. That's the process behind what we're accomplishing. The first section is, in essence, once again, trying to make sure that there is an attempt to recover from all responsible parties, fully recognizing there will be many times, as there are now, in lots of situations where one of the responsible parties might be judgment proof and no recovery can be gained. The law takes care of that situation in that the other party that is partially responsible, along with the individual that's judgment proof, takes over the economic damages associated with the judgment. Of course that leaves the noneconomic damages that are unaccounted for. But that's a part of what we're trying to balance in Section 2 in providing what I believe is an avenue for recovery, under LB 952, that's not present in our current statute. So the first amendment is merely trying to clarify the reason why we wouldn't want a vehicle owner that was not contributorily negligent to be a part of the...providing the resources for recovery is that it would violate then that basic principle that we want those people that are responsible to have to take care of the damages. In that case they wouldn't be responsible. So I hope that the membership will see the amendment for the value that it is and adopt it.

PRESIDENT ROBAK: Thank you, Senator Maurstad. Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, I think Senator Maurstad might actually believe what he's