

SPEAKER NICHOL: Senator Labeledz and members of the Legislature, I hope I can have your attention for a minute. This is bad, bad, bad. We started out with a seat belt law here that was a penalty of a misdemeanor. Gee, you are not out there committing murder by having a seat belt fastened or not having a seat belt fastened. We are getting our foot in the door with comparative fault. That is what we are doing. You notice those who are supporting it, lawyers on the floor, lawyers. Of course, it will be a great thing to come in and say, well, you didn't have your seat belt on so you are docked 5 percent. Hit by a drunk driver a 100 percent at fault, but because of a little technicality here that the Legislature thought was important, you don't get 5 percent of what you really have coming. If you have 100 percent coming, you should have 100 percent coming, not because of a little seat belt law. I support the seat belt bill up to now. This is wrong, ladies and gentlemen, to inject this into this bill and I hope you defeat it soundly. Senator Hoagland, why didn't you bring this up to the committee? Why wasn't this heard in the hearing?

SENATOR HOAGLAND: Well, let me say, Senator Nichol, that this does not do anything about adopting comparative fault in Nebraska.

SPEAKER NICHOL: Well, wait a minute, why didn't you have this brought up in the hearing? Why wasn't this discussed in the hearing?

SENATOR HOAGLAND: Well, it wasn't clear that this issue was going to develop in the bill, Senator Nichol.

SPEAKER NICHOL: Well, so the point is made...thank you, Senator Hoagland, the point is made it was not taken up in the hearing and I would suggest that perhaps many would not have voted for the advancement of the seat belt if this thing was injected into the bill. I may be alone on this situation but I am telling you this is bad law, and as Senator Vard Johnson admitted it, he admitted that it is bad to put this into this bill. This is wrong, ladies and gentlemen, to put this into this bill. If you want to have comparative fault, then have it but have it out in the open as to what it is. I don't think Senator John DeCamp really believes this is good. I don't believe that Senator Morehead really believes this is good but she is going to