

that, you know, we are not going to have any mitigation because we don't think that the failure to wear the seat belt could have contributed in any way, shape, or form to the injuries sustained by the individual, or even if we think it, we think the real wrongdoer is the other driver. But on the other hand the jury could say, well, we are going to do some mitigation but we just simply can't go below a 5 percent reduction. We can't reduce the award by more than 5 percent. This amendment is a responsible amendment because it keeps us in compliance with federal law, it keeps us in compliance with federal law, and in addition, it...

SPEAKER NICHOL: One minute.

SENATOR V. JOHNSON: ...protects the people of the State of Nebraska who are involved in serious automobile accidents and that is what each one of us here really wants to do. With that I would move the amendment.

SPEAKER NICHOL: The question is the adoption of the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 8 nays on adoption of the amendment, Mr. President.

SPEAKER NICHOL: The amendment is adopted.

CLERK: Mr. President, the next amendment I have to the bill, Senator Haberman, I understand, Senator, you have had an amendment pending but you want to withdraw and substitute, is that correct? And do I have that substitute up here, Senator? Senator, I don't have it. That is the one I need. Mr. President, Senator Haberman would move to amend. (Read Haberman amendment offered on page 1359 of the Legislative Journal.)

SPEAKER NICHOL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, this is a simple little amendment. It just merely says that...the section says, any driver and front seat passenger of a motor vehicle operated on the street or highway in this state shall wear a safety belt. All I am adding is "if a seat belt is provided." That is all I am doing. Now there is nothing wrong with that. Thank you, Mr. President.