

thought it would be a little clearer when we drafted it to the Final Reading copy. Our focus up to now has been the mandating of the physical fastening of the seat belt and if that takes away our rights, if that is an unfair federal mandate, or state mandate on our citizens. The majority of the constituents in District 10, which is my district, are opposed to the state mandating that they wear seat belts, but it was a very close vote and I had decided by some valid facts that were presented that the state should encourage regular use of seat belts, but the public doesn't know very much about this bill. All they know is it is to close a seat belt, to make a crime if they do not wear a seat belt in the front seat of a car. We should be better informed about what we are doing in LB 496 and that is what my amendment addresses. I strenuously object that not only is the federal government holding a club over the states to make not wearing seat belts a crime, but they also have used a bludgeon to effect the civil actions and the civil tort law of our states. Nebraska has maintained the standard of gross negligence versus slight in our civil tort actions even though a variety of proposals have come before the Judiciary Committee since I have been in the Legislature. No fault insurance was rejected. Comparative negligence has been rejected, but now we are in a great hurry, great frenzy to pass this significant change even though that deadline set by the federal mandate lies far in the future. And Nebraska really only adds about a hundred and a half or one and a half million people anyway, why are we in such a hurry. It is a veritable drop in the barrel, so to speak, of the United States population but a very significant change in our state law and this isn't even a federal law that mandates it. This is a regulation. It is not a law passed by Congress. Senator Vickers had some interesting examples in his handout as a result of what could happen with this Section 6 left as it is in the present law, if it is the result of a drunk driver. You just voted to say that points should not even be assessed. It is an infraction, we are not going to assess points, and yet how in the world can you vote to allow for the first time in our statutes that there will be a percentage of mitigation? We have not done that anywhere else for any other crime. This morning we just had LB 259 which had the mandating for children. We didn't establish mitigating factors to be used as mitigating evidence in that law. Why are we doing it now? This section is wrong as it stands in LB 496 now and it is wrong to be rushed into it. The mandate for auto safety belts, if