

developed to protect the little person, and it developed to protect the little person against big corporations, against big business, against all the big entities that government had allowed to exist, and then it saw that government itself was a big entity, and that the little person needed some protection there too because there were lots of actions out there that were now engaged in by governments and sometimes government is negligent. So the whole tort system is a mechanism whereby we as a community make good to the little person who is wrongfully injured, who is wrongfully injured, only those persons who are wrongfully injured. We don't give out money just to anybody. If you didn't have a negligence system, what would happen if the city injured somebody, if the city ran over somebody, or was otherwise negligent in the numerous different ways they could be negligent? Then if that person has no resources, that person is on our welfare system. That is essentially what happens. So the tort law, insurance that is purchased, liability insurance, it is all a mechanism whereby we spread the cost for injury over a large number of people, and whether you do it by the welfare system or whether you do it by the insurance system, you have got to ask yourself the question, does it make any difference? Does it make any difference? In one way or another we are going to take care of these people but there is an important reason why we use the tort system rather than just the welfare system and that is because it is an incentive, because it is an incentive to good corporate action, to good government action. It keeps all those entities thinking about the proper way to operate. It keeps them thinking about being fair to individuals. We have good government in Nebraska. I really think we do. Maybe part of the reason we have good government in Nebraska is because we have a good tort claims law, because it has no liabilities, because they are watching out. In any event, why is it that you would have government entities be less...be less responsible than private interest? Didn't we just raise the medical malpractice law to \$1 million per individual? Senator DeCamp, isn't that the case? What is the medical malpractice law now? What is the cap on liability for doctors?

SENATOR DECAMP: It is my recollection that I sponsored a bill, in fact, that moves it to a million, isn't it?

SENATOR BEUTLER: A million dollars, that is right. Why would you have a difference between doctors and political