

SENATOR MILLS: I wanted to clarify the committee report was incorrect only, not to debate it.

PRESIDENT: Well, that takes the form of debate, Senator Mills. I am afraid that is not allowable when we are closing but you got half a loaf, Senator Mills. Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, the committee amendments, as I say, does not change the doctrine or theory of strict liability in tort as addressed in the Supreme Court cases. It does limit the persons who are responsible for strict liability in tort to the original manufacturer, not just to somebody in the chain. It clarifies and limits that. The other point is the trial attorneys insistence, which we went along with, to clarify that we are talking about the specific product. Those are the committee amendments. The other issues raised, and I use as my best example, Senator Chambers, almost his total arguments have absolutely nothing whatsoever to do with this piece of legislation. Senator Chambers is talking about real estate and laws which are already on the books, the 4 and 10 statute of limitations, the statute of repose, these are already on the books. This is a products liability bill and I think possibly over the last year or two there has been a lot of misunderstanding as to what this does apply to and I would suggest before you categorically reject or argue against those things on this bill, you check and you find out what the law is right now. His issue, as I say, is like my standing up on this bill and giving you a speech about the evils of illegal search and seizure or something. If you want to discuss that, fine, but that is not what this bill is about. This is a products liability bill. He was talking about real estate. Check your laws already on this. You passed them three or four years ago, as I recall, on the 4-10 statute so I guess that's what I say on that. Now we are not adopting movement of the bill at this time. All we are are these two committee amendments which I pointed out, the strict liability and the clarification that we are talking about the specific product, the specific football helmet that causes the injury not the overall group, as the trial attorneys complained. I move adoption of the amendments.

PRESIDENT: The question is, shall the committee amendments be adopted? Record your vote. Have you all voted? Record.

CLERK: 31 ayes, 3 nays on the adoption of the committee amendments, Mr. President.

PRESIDENT: The committee amendments are adopted. Mr. Clerk.

CLERK: Mr. President, I now have a motion offered by Senator Jack Mills. The motion can be found on page 560 of the Legislative Journal. Read.

PRESIDENT: Senator Jack Mills.

SENATOR MILLS: Mr. President, members of the Legislature, last year, Senator Bereuter introduced LB (interruption).

PRESIDENT: Excuse me. Senator Merz moves that the Call be raised, Senator Mills.

SENATOR MILLS: Okay, thank you, Senator Merz.