

SENATOR DE CAMP: Mr. President, members of the Legislature. As I understand Senator Chambers arguments and his concerns basically they are that the title is inaccurate or doesn't reflect and that there is no severability clause. Well on the severability clause it is an axiom of the courts, it is automatic. It doesn't automatically have to be in the bill the courts have the right, and they generally do, and our court particularly does this they automatically apply the severability concept. If they can save a bill, if there is something unconstitutional and they can do this, then they will do it, even if that severability clause isn't in the bill. So, I think that addresses the first argument. In addition to that on the first argument the people that support the bill are willing to accept this risk. They don't feel that this is a serious problems. They are willing to take it as it is. If Senator Chambers concern is helping the business men and the people that are concerned about the products liability bill, they say thank you Senator Chambers so much for your help and advice, but we are willing to take this risk and on this particular subject we are going to live with it even though you have tried to help us so much. On the other issue, the title. As you know on legislative bills, you Senators don't write your titles, you may have an idea. In the statutes, that burden or duty, is vested with the E & R, and the Bill Drafter works with them and they automatically change titles, amend them and make them comply with what is in the bill. The general philosophy of the title and the Constitutional arguments on this are simply this. Does the title offer enough information that the general public, the legislator would not be deceived as to what the bill is about? I'm satisfied that the title does. So, what I recommend we do is that we go ahead and pass the legislation here today and if there is any problem in the title this can be corrected through another bill an amendment on another bill can be corrected in a dozen different ways. I personally don't think that there is a problem there. As I say, the title reflects that this is a products liability bill but it deals with the area of products liability and I'm satisfied that the title and the information to the Senators has been much, much more than adequate in this area. I would urge you to go ahead and pass the legislation at this time.

PRESEDIENT: Before we proceed with the debate on this, I would like to introduce 26 ninth grade students and their teacher from Hastings Junior High School, in the north balcony. That is from Senator Marvel's district and Karen Johnson and Tom Creeve both went to your Junior High School. Thank you for being here. Senator Clark.

SENATOR CLARK: Mr. President, I call for the question.

PRESIDENT: There are no further lights. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I would like to ask Senator DeCamp a couple of questions. Senator DeCamp, looking at page 2 of your bill, on line 5, or starting in line 4 are the words, "regardless of the substantive legal theory or theories upon which the action is brought, are there statutory legal theories upon which these actions can be brought? Are there existing statutory legal theories upon which this actions