

SPEAKER MARVEL: Senator Fitzgerald, do you yield? Okay.

SENATOR HEFNER: Okay, we have a committee amendment that strikes the language from line 15 to 21. Okay, how about the following sentence: "Nothing in this subsection shall be construed to limit any other action from being brought against any seller of this product...?, could you tell me what that sentence means? Shouse we strike that, too?

SENATOR FITZGERALD: I thought the committee amendment struck that. Senator Nichol, does your committee amendment strike that section? That was the intent that we had...about seller.

SENATOR NICHOL: Mr. Chairman and Senator Fitzgerald, yes, that was the purpose of the amendment was to take out the seller so that the only one liable would be the manufacturer. Now the only time a seller would be liable if he is also the manufacturer but that was the purpose of the amendment was to take out the seller.

SENATOR HEFNER: Okay, I have one more question. Senator Nichol, would you care to answer?

SPEAKER MARVEL: Senator Nichol, do you yield?

SENATOR HEFNER: My concern is from the last sentence in that section.

SENATOR NICHOL: What does it say, sir?

SENATOR HEFNER: Okay, it says, "Nothing in this subsection shall be construed to limit any other action from being brought against any seller of a product in accordance with this section."

SENATOR NICHOL: Well, as I take that to mean, Senator Hefner, is that if something else is wrong other than this problem that would create cancer. I don't know, for example, if the seller handled it wrong and then hurt somebody or any other claim that the seller might have outside of this addressing the cancer producing qualities of asbestos.

SENATOR HEFNER: Then we could go back onto the seller?

SENATOR NICHOL: Yes, you can go back on the seller any day for anything you want but we are talking, addressing now specifically asbestos and the cancer producing qualities of asbestos only. Yes, this law doesn't exclude seller from anything that might come down the pike, no. That is right. It never has.