

However, I would like to put myself at odds with Mr. Kauffman's characterization. Frank, when he said, you know, I just...if there are injustices, I don't know what they are. Now, I've been reading a couple of cases from Nebraska law. All the examples I've given you are from Nebraska law. Let me give you another one from 1984. Twelve-year-old kid up climbing in a tree, comes in contact with a poorly insulated electric line in a badly maintained tree, both of which are the property of the Omaha Public Power District. Kid gets zip, nothing, kid shouldn't have been in the tree. Gets electrocuted but doesn't get a dime for the badly maintained electrical wire or the ill-kept tree because the kid was partially negligent. Now, Fred Kauffman says that isn't an injustice, the kid never got to go to the jury, that he never got his day in court, that the judge threw the case out. I don't think that's justice, I think that's an injustice. I think he should have had his day in court. Supreme Court threw that case out, said that constituted less than gross negligence on the part of OPPD. Now, think about it. Whose going to be out in the lobby? Twelve-year-old kid named Suarez or OPPD? Yes, it's true, NATA is out there, you're right, because there isn't an association of 12-year-old boys who get electrocuted climbing in somebody else's tree, they don't have a membership organization; OPPD does, the Omaha Bar Assoc...I'm sorry, the Omaha Chamber of Commerce, the Lincoln Chamber of Commerce certainly do and they're out there. I tell you what, if in fact that rule or the rule about the guy who gets shot because he stops his car, after having broken up a fight, doesn't get a dime, if those don't strike you as being just, if there is a little sense, there is a question in your mind and you can't explain to me why that is fair, I tell you what, we've got an hour here, just one by one go out there, pull Barbara Botsch aside, walk up to Coach Jennings, check John Goc from the City of Lincoln, or Jerry Prazan, you look them in the eye and say, wait a second, why shouldn't the kid get to go to court? Why shouldn't this be able to go to the jury? Tell me why it was just that he never got a chance to go to the jury? And hear what you get. I don't think that job has been done by the people in this room, and I don't think that's what they've told you as to why...

PRESIDENT: One minute.

SENATOR LANDIS: ...what's good or bad about the bill. But there are people who suffer injuries, whose stories are not being told and this bill, while people make a bunch of bogus