

inspections, elevators, a variety of things. This amendment, if you look on pages 5 of my amendment, and pages 9 and 10, it says that any claim based upon the making or failure to make an inspection of property other than state property to determine means that you will not be held responsible. You can't sue the state for making a poor inspection if you have injuries as a result of that. You say, well, now hold it. What happens if they go out and look at the bridge and they look at that bridge and they know that that bridge isn't in good shape but they say, well, we'll look it over and we'll overlook it and we'll go on. The next person across the way, the bridge gives way, there's injuries. Now you say, well, they should be able to sue. Yes, they can. They can sue the county or the city or whoever because they failed to maintain the bridge but not because of the inspection. Okay, because a lot of times you go out and do the inspection and the people do something to it later or for one reason or another, the cities, the counties and the state are open 24 hours a day. They can't limit their exposure like you and I can. They can't drive slower in their automobiles. They can't wear their seat belts. The cities, the counties...

SPEAKER BAACK: One minute.

SENATOR KRISTENSEN: ...and the states are open for business 24 hours a day. These inspections are a very small part. These are the amendments that were brought in to me by the subdivisions in the state to say, help us this small part, limit our liability because when you take away joint and several...or when you take away slight gross, excuse me, and go to this comparing we become the 2, the 3, the 4 percent negligent because we did something a little wrong in our inspections. If they failed to maintain that bridge and they didn't do a good job of maintenance, you ought to get sued and you will, but not for your failure to inspect because those things are basically out of your control. That is the second part of my amendment. I'm sure Senator Ashford has...

SPEAKER BAACK: Time.

SENATOR KRISTENSEN: ...parts that he wants to discuss and so from now on I can be done explaining the amendment and go towards any questions or argument.

SPEAKER BAACK: I recognize Senator Ashford.