

with those provisions. Those, at least to the best of my understanding, have been worked out satisfactorily to my satisfaction as well as to the people in the trial bar and to other people who are interested in this bill. In particular the inspections here, there will not be an immunity. The state can't be sued unless it allows itself to be sued. The tort claims act will not apply for failures to inspect either by the state or local political subdivision unless the state had reasonable notice or if there was a failure to do, let's say the inspection or whatever, and that constituted a reckless disregard for public health and safety. The same goes, there is an immunity for the issuance of permits, in other words, that the permit that was issued was done for the general good, the public duty doctrine and not towards an individual person. Then there is immunities for road signs unless they are not replaced within a reasonable period of time. There are also for road conditions of snow and ice. There is also for plan and design of roads and immunity. There is also an immunity for insufficient repair unless it was not done within a reasonable period of time and I think there would be a reasonable amount of notice that would have to be required to do that. With that, Madam President, that is the amendment of 262. I would be glad to answer any questions. Again, Senator Baack placed this up because there is a problem and a risk that I don't think the state can take in regards to its tort law. I would be happy to answer any questions, and since we are in a fairly short time period, I think that is the sum and substance of the amendment. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Abboud.

SENATOR ABOUD: Mr. President and colleagues, I appreciate all the hard work that Senator Kristensen and Senator Chizek have put in on this bill. There has been a great deal of debate and talk about the changes of comparative negligence, I mean, when you have a law that has been on the books since 1913 there is bound to be a great deal of discussion. Over the course of decades of debate over what is the proper course of this state to follow, there has been a great deal of debate as to what is the proper liability for states to have; what is the proper liability for individuals to have. In the course of that debate since 1913, this Legislature always saw fit to make no changes in that law. They allowed individuals to not be properly compensated for horrendous acts that occurred to them, accidents that occurred to them. In my opinion, the State Legislature was