

as an example, and that if he is sitting in that chair and all of a sudden it broke and he fell out and cracked his head that he couldn't sue for the manufacture or assembly of that chair because it was more than ten years old. About that time, the chair broke, a spring broke, he pitched out; it was a pretty good example. I don't know that Senator Barrett, at that time, had any major injuries. Some would say that it probably didn't matter, but the key to the whole statute of repose issue really boils down to this; should there be a period of time where the responsibility legally ends for the manufacture or assembly of a product? And if you say, no, you are going to subject great change to the State of Nebraska. One is certainly in the insurance of products. Products are normally going to wear and tear. We, in the past, have debated on having useful life amendments. Those have not passed muster. Those haven't found favor with the Legislature. We've talked about making certain exceptions for breast implants and so on. The Legislature, at that point, was unwilling to make those exceptions for those things. I still think that that is probably true today, but the way that this amendment is fashioned is that this is a direct attack and would change up to forty years that you could sue on the statute of repose. Now forty years, I am sure Senator Beutler probably hasn't probably been around for forty years; Senator Withem has probably not been around for forty years, but you are talking...well, maybe, Senator Withem, you've been around a little longer than that, but the issue here is go back forty years and say that you can sue somebody because of the way they manufacture a product, and you are going to use today's standards, you are going to use today's juries, now in Nebraska that evidence may be objectionable, but, psychologically, people are going to take into account their common experience. Their common experience is what is going on today, and to hold people responsible for forty years is just unconscionable, and it will have a profound impact upon business in Nebraska, manufacturers. You are going to hear stories about how terribly unfair it is to deny somebody the ability to sue. Well, manufacturers so often get drug in as the deep pocket because they are the only ones left, and you have a profound hardship upon those people as well, but it is patently unfair. The current statute of limitation or the current statute of repose is ten years. There are very few examples, and I would try to find people in the State of Nebraska, there are very few examples of things that have not been able to be sued because of the statute of repose. It doesn't come in as a defense very often but it adds certainty to manufacturers. It adds certainty to business, and