

we are looking at two-thirds of the country that recognizes the fact that an individual ought to be able to at least get into court to prove their case if they are injured by a product, that they ought to be able to at least go in and make a case even, which, currently, in Nebraska, you cannot. You will hear probably some arguments that, Senator Kristensen has told you some of that arguments that I will make. I will tell you some that you will hear made. One is that this applies to people other than manufacturers, that a repair shop can be held liable if this amendment would pass, or the committee amendment would be adopted and we would change the statute of repose to forty years. That is simply not true. The fact is that the statute of repose applies only to manufacturers. That is it. A repair shop would not be held liable under a change in the statute of repose. You are going to hear that this hurts Nebraska corporations. I will tell you what hurts Nebraska corporations and that is the fact that they can be held liable now when they sell a product out of state, and that product in one of these thirty-five other states injures somebody because they are not protected by our statute of repose when they sell a product out of state, and most products made by Nebraska corporations are sold out of state. So this is not a bill or this is not a statutory provision that protects Nebraska corporations. The fact is by having this in statute the way it is now, we hurt Nebraska citizens because if another company comes into this state and sells a product, and because of a flaw in the manufacture of that product it hurts somebody, the Nebraska citizen is the one that can't recover. It's your constituent that gets injured that...

PRESIDENT ROBAK: One minute.

SENATOR WILL: ...can't recover if they are injured by a product that comes into the state from outside. So that is the fallaciousness of the argument with respect to this being a probusiness type of statute on the books, but the simple fact is all it does is it hurts our citizens to have this on the books. Another thing you are going to hear is this is going to lead to people just going into court and handing out...sticking out their hands and getting a check, and that's just not true. All this does, this bill does not guarantee that an individual can recover, expanding the statute of repose does not. It simply means an individual can get into court and make their case. That is all extending the statute of repose means. We are still, with the adoption of this committee amendment, going to