

regard to damage or loss of personal property, real property, natural resources or response costs. The issue is really is a policy question, Senator Maurstad, that we need to make and that's what this bill is all about, it's a policy question and we have every ability within our rules, our responsibilities and within our own Constitution to do just that. That's what we have before us and that's why the amendment is here. And, Senator Beutler, there is no element of retribution on my part with regard to the previous amendment, but there is a lot of education in it and I would argue, I would rather you use the term education twice instead of retribution but you didn't and I guess I can understand why. I also happened to wander over across the hall and I realized that NPPD, OPPD and Norris were sponsoring the dinner and I figured I was... timing is everything and you know, I guess I'm just... well, I know what I am but I can't say it, or I won't rather, Senator Chambers. But clearly, you need to make the decision. I mean, are we going to say that folks who deal with a certain type of product are going to be more protected and are we going to take personal property and real property and place it above individuals who are hurt by products? Senator Beutler, we can't make a distinction as far as I'm concerned between a certain type of product and say because it is so much more, I guess, highly dangerous, in what element is it more highly dangerous? When an individual gets hurt or when they die, it doesn't matter. It makes no difference whether it's from high-level radio active waste or it's that defective flywheel or that transmission that didn't work beyond the 10 years that it was guaranteed for. It doesn't matter. It doesn't matter what the product is, it doesn't matter whether or not those individuals knew there was a statute of repose. The fact of the matter is they've been harmed and we are not going to hold individuals responsible. We ought to set that standard for everyone and the standard is 10 years in this state. The body has adopted it. And the fact of the matter is that with the proposal that is before us in the form of the committee amendments, we have now taken personal property and real property and gave them more protection in this one instance than we do individuals when it comes to other harmful products. This is not the only type of harmful product that exists out there in the stream of commerce. There is many of them. They are all protected. These individuals somehow don't deserve that same protection I guess. With that, Madam President, I would move for the adoption of the amendment which would bring into uniformity the statute of repose for all products in the stream of commerce in Nebraska.