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SENATOR CUDABACK: Thank you, Senator Hudkins. Senator Beutler, on the committee amendments.

SENATOR BEUTLER: Senator Kristensen, a few questions if I may.

SENATOR CUDABACK: Would you yield, Senator Kristensen?

SPEAKER KRISTENSEN: Yes.

SENATOR BEUTLER: And please forgive me if a couple of these were answered by either Senator Brashear or you because I was out of the room for a while. Tell me how the Y2K problem as a computer problem is essentially different from any other kind of computer problem that may occur? I mean I understand that it has to do with particular digits, but I assume that a bank's computer can have other kinds of problems that may cause customer problems from time to time. There are a whole, I mean an infinite variety of computer glitches or problems that one might envision a financial institution or insurance company or anybody that deals with a large number of clients to have. Why are we taking this one particular kind of problem which albeit has great notoriety, but why are we taking that one kind of computer problem and saying we're going to give special protection on this kind of problem but on all other kinds of computer problems we'll leave it to the general law of tort?

SPEAKER KRISTENSEN: Well, the first distinction there is that the general law of torts will still apply with this, and that I think is an important distinction because you're not protecting from personal injury cases at all. Those will still lie in tort. These are primarily cases of contract, if you will, because of the relationship. But let me go on because your broader question is one, this is almost like an act of God to a certain extent. In other words, in the legal sense of an act of God because you don't know if it's going to happen. It's beyond your control because it is unique to all those computers. It is systemic to the entire industry. Now the issue is are the manufacturers liable ultimately because it isn't the city or the financial institution who built the computer. What they did is bought it for usage and it's like buying a coffee pot that didn't make enough coffee, you know. You thought that it would. The manufacturer walks back and say, well, you should have known