

ability to recover. It simply would get them into court and allow them to prove that they were injured because of a flaw that occurred during the manufacturing process. Issues such as wear and tear, whether the method used to manufacture the product was state of the art, whether the product has been altered would all be issues to be decided by the court, by the jury, and I think the last point I would want to make is our judicial system trusts juries, and Nebraska juries, certainly, I think have not shown any inclination, not only not to award excessive damages, but also not even to return a verdict unless a substantial amount of proof is presented. So with that I would ask that you reject the Kristensen amendment, and I would, again, thank Senator Kristensen for the opportunity to speak.

SENATOR BERNARD-STEVENS: Senator Kristensen, you have about three minutes.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the Legislature. This amendment says, simply, one thing, that is to remove that portion of the committee amendment which increases by 300 percent exposure for products liability, from ten years to forty years. The policy choice is this, do you want to have people be able to forty years after a product has been manufactured to come back and say you made a mistake forty years ago to put this product together. Forty years ago you didn't warn them. Forty years. Perhaps the statute of repose has a place for debate on certain products. We have tried to have that over the years. The body has never been able to resolve that. LB 750 deals with high-level nuclear waste. It is an important bill. The statute of repose greatly clouds this issue. It does bring the...this committee amendment does bring it up for us to discuss. It's...I would kind of hope, Senator Lindsay, we'd have a bill that we could put optometrists in too so we could get eye wars out of the way this year and have some debate on that, and maybe that bill is yet to come. I just haven't read the Journal. But here's what happens. We just simply want to get to court, we just simply get to court. Well, why do you just simply want to get your day? It's because you put pressure. Most of those cases won't go to trial. But, why? You get squeezed. It is cheaper to settle than it is to defend. So you pay out a little more money,...

SENATOR BERNARD-STEVENS: One minute.

SENATOR KRISTENSEN: ...a little more money. Lawyers in the