

associations back in Washington, D.C. that came out here to pass that original bill were protecting manufacturers in California and New York. Of course those states don't have a law, but they were trying to protect them and as a result we passed the bill. It didn't make any sense then. Products...as a result of that bill passing, our insurance rates didn't drop. Heck, we've had nearly over a decade, nearly two decades now, 15 years...

PRESIDENT MOUL: Time.

SENATOR ABOUD: ...it was passed in '78 and we should have seen some reduction in insurance rates. It didn't happen. That's why I'm supporting LB 137.

PRESIDENT MOUL: Thank you, Senator Abboud. Senator Schellpeper, followed by Senators Will, Crosby, Kristensen, Wehrbein, Robak and Abboud. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Madam President and members I'd like to ask, I think, Senator Will a question or maybe Senator Avery. Senator Will, who decides what repair extends the life of a machine or whatever we're talking about? Who actually decides that, courts or legislature or...?

SENATOR WILL: That would be a question of fact for the court to decide.

SENATOR SCHELLPEPER: The courts would decide whether or not that would be (inaudible). Okay.

SENATOR WILL: What effect any repairs at all have had on the...

SENATOR SCHELLPEPER: Okay. Now say that I had a machine and I had bought a bearing from some company that wasn't manufactured by the actual manufacturer of this machine. Now who would be liable for that...the whole...in case some accident happened?

SENATOR WILL: If you bought a bearing and replaced an original bearing with, in your machine, and that replacement part is what caused the injury, then clearly the manufacturer would not be liable.

SENATOR SCHELLPEPER: But the manufacturer of the bearing then would be responsible.