

PRESIDENT MOUL: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, members of the Legislature, thank you, Senator Crosby, for your time. Let me tell you what's going on here. This is a matter and this is a bill that the trial bar would dearly love to have, dearly love to have, and in fact, will do so much to get it, that will put the...if you can just get the phrase, it's a compromise, out hoping that everybody won't want to put up with the bantering from both sides in contacts from people and that way you can walk out of the body this morning with the word "compromise" on your lips and feel as if you've solved it all and that this issue will go away and we can get to other issues in the Legislature. When was the last time you saw a compromise the first thing out of the chute? Obviously not. What it is is it's a desperate attempt to do anything you can to get this bill passed and we're going to do it. And do you know what would be so great? It would be so great because you're going to go back to your town hall meetings today or after the session and the first thing you can stand up and say is, you know I passed legislation that would allow a lot more lawsuits this year, don't you think I did a good job? Because that is exactly what you're doing, that's exactly what you're doing. Think about it. The useful life concept that you have here, who is going to decide useful life? I don't want the manufacturers either sticking a useful life sticker on it because they'll put every product as having a useful life of two years. That isn't right. No. Who is going to decide? It's going to be the judge or the jury is going to decide it. How do you get to the judge and the jury? You got to sue somebody. You got to sue them. You've got to file a lawsuit and if you file a lawsuit, hopefully 80, 90 percent of those are going to settle out, you'll never see them in trial. That's what this is all about. It's about bringing more suits. You can force more settlements. Now what about the fairness of ten years? Are there going to be a few cases that drop through the cracks? I'll be the first one to tell you there will be a few. But the damage on the other side of opening it up is much greater, much greater. This nonsense about protecting Nebraska citizens from outstate companies, what the real issue of this is, is you're going to allow all your Nebraska manufacturers to be opened up to these suits and not suits for necessarily any other reason than the cost settlement. There is a reason for ten years. Is it magical? No, there's no magic in ten years. Probably rather have it at five years.