

SENATOR KRISTENSEN: ...so be it. Thank you.

PRESIDENT MOUL: Senator Kristensen, you're next.

SENATOR KRISTENSEN: Oh, I need time to have a rest. I'll pass.

PRESIDENT MOUL: Thank you, Senator Kristensen Senator Wehrbein.

SENATOR WEHRBEIN: Madam President and members, I assume that I'm like several others in here, uncertain as to where to go because some of this that's appealing as you look at it is a consumer bill, but I've come down on the side of opposing this and 137 at this stage too. I've been looking for something to perhaps find a compromise. I appreciate Senator Kristensen's comments, but I was looking this morning at what Senator Will handed out on the statute of repose and some of the examples or cases that he applied in here and that made me decide that as I read many of those cases and without having access to all the facts, some of those really made the case in opposition to this bill rather than for it, primarily because as I look at that, I have been concerned about that bill, this bill, and its effect. I just cannot understand how we can design a machine that will last forever and as I hear some of the debate on this floor, that's what it seems to me that we're trying to design. I've got a letter here from a professor at the university that made some good sense, but as I read some of the logic behind it, I can't quite accept the fact that if you have titanium in this case, or if you have another metal, how can we know that a metal or a part will last forever? And it seems to me that it can't, and I don't expect it. I don't expect it of the machines I have. Many machines that we have that use in farming today do not have automatic shutoffs on them because they were, that's a relatively new phenomena. In fact, they're very irritating frankly as we put on the new ones. It really restricts the things you need to do. It doesn't say you shouldn't be careful, but I think you have an inherent safety problem. Many of the machines we have today and if you look at a consumer product, a mowing machine we have, I mean any common sense says you don't stick your foot under a mowing machine and still it goes on and on and on and we design in mowers that go far beyond, I think, common sense in trying to make them safe. They are really unuseable in the traditional sense. So as we try to protect ourselves from us into the future, I think we tend to, possibly, of overreacting in making these lawsuits apply. As I read down