

frivolous lawsuits, but I feel quite comfortable in saying that the percentage of time that that sort of thing happens is very, very small indeed. Usually there is a basis for a claim. Most of the time these things are contingent liability of contingent fee type cases. Lawyers don't want to take them. They don't want to lose all the time if there's not a legitimate claim there. And you and I are hurt I think mostly in our perception on this thing by what we see coming out of some of the more liberal states, out of New York and California, these huge settlements, some of which strike us as somewhat bizarre, but the fact of the matter is when is the last time you've heard horror stories from Nebraska? The fact of the matter is that the jurors that sit on Nebraska juries are the same kind of common sense people that you and I are and they are not dummies as Senator Kristensen would suggest. They can understand the difference when the lawyers point it out to them between 1980 designs and 1993 design standards and they can understand the jury instructions that say at this particular point in time in our society this was our understanding in our standard with regard to designs and this is the law that is applied. They're not dumb, they're not dumb. And that is on the cases that are litigated. By and large a vast majority of the cases don't go to lawyers in the first instance and when they get to lawyers they are often, most often settled before they even get to trial. So I don't think that the legal system in Nebraska is something to be afraid of or to find or to use as a reason to deny an examination of the facts to see whether a particular individual should have a right to recover or not. It seems to me to be a bad law indeed that says to an individual, to an American individual you don't even have the right to make your case, you don't even have the right to have a discussion of the facts, you don't even get a day in court. Sometimes we say justice delayed is justice denied. Well what is this when justice or when the claim for justice can't even be heard? When you look at a case where an individual is hurt badly, cases where they are wiped out entirely, where they lose their ability to make a living perhaps,...

PRESIDENT MOUL: One minute.

SENATOR BEUTLER: ...in those cases three things can happen, the individual can bear the loss themselves entirely regardless of whether they were at fault and if nobody is at fault that's what happens. Or the welfare system can pick up and pay for these people. Or the insurance program that we have set up to