

March 29, 1979

LB 415

or Talk, something like that. The test is basically a formula for measuring the readability of any piece of writing. It involves counting syllables and words and selected passages and arriving at a score which is the measure of readability. In golf, the higher the score the worse you are doing. In readability tests, the higher the score, the better you are doing. So LB 415 was drafted for this purpose. The primary exceptions in the original draft were that the model act provides for a reading text score of forty and the bill provided for a reading test score of fifty so the committee amendment brings it back up to that number fifty to make it conform, I mean back to forty. The other exception is the model act allowed the Commissioner of Insurance to make exceptions for certain reasons in the allowed score. The committee amendments reinsert that discretionary authority, once again make it the same as the model. The bill allows the insurance industry itself to score its own policies and certify to the Department of Insurance what that score is. The bill does not alter any substantive law and does not restrict the ability of insurance companies to design flexible policies. Some testimony at the hearing indicated that companies which are already writing readable policies are having trouble getting approval in states which do not have readability laws because those departments are not familiar with the Flesch test. They felt that the industry itself which is moving voluntarily in the direction of readability needs the uniform law in all the states. So I move adoption of the amendments.

SPEAKER MARVEL: The motion....Senator Reutzel.

SENATOR REUTZEL: Mr. Speaker, members of the body, I rise in support of the committee amendments. Three years ago when I first came in I tried to do something like this, have something drafted, and Senator DeCamp put his arm around me and said, it is impossible to do. Two years ago I had something like that drafted and he said, no, you can't do it. Now that Senator DeCamp has got this drafted, it must be possible and I hope it passes. Thank you.

SPEAKER MARVEL: Senator Johnson, do you wish to speak to the amendments?

SENATOR JOHNSON: Yes, I do. I would like just to ask Senator DeCamp a question or two if he would yield.

SENATOR DeCAMP: Yes.