

incentive. It almost sounds like you are trying to encourage the insurance companies to play their hand even further. The other thing, and I guess this concerns me as much as anything, the way I read your amendment, would it not in fact engender additional litigation? For example, because you've left so many things up in the air with the judge deciding something, no clear-cut issue as to when prejudgment interest does or does not apply, wouldn't you develop the following situation? No matter who wins, no matter what happens, when it is all over, then the lawyer, one or the other, is going to get sued by another lawyer because so-and-so is going to claim he delayed, or the other side delayed, or they didn't move ahead, and so instead of getting settlement, instead of getting things simpler, have you not in fact additionally created another cause of action almost, I would go beyond almost, I would say another cause of action which is going to generate just additional litigation just over the issue of...over the prejudgment interest? I read it that way. At least I see these possibilities. I know you were trying to work out some kind of a settlement between the groups. I think the amendment we adopted, even though it isn't perfect, I think it does pretty well settle on a real middle, middle of the road course the legitimate argument both sides had while still getting us the main goals of the bill which is adequate compensation and reimbursement and some pressure for not delaying and not using and abusing the court system through improper delays. So I would almost respectfully say at least give it consideration, to the possibility of withdrawing the amendment, and maybe if we could ever get the bill advanced off of General File, then maybe there might be some room for some wiggling one way or the other on some of your ideas, but it just seems to me at this time the amendments would pretty well destroy the bill, and maybe even work adverse to what our goal was which was promoting settlement and cutting down on litigation and getting the thing brought to a head quickly. I think it might go the exact opposite. So I would ask you to consider that.

PRESIDENT: Senator Beutler. Senator Hannibal is next.

SENATOR BEUTLER: Mr. President, members of the Legislature, Senator Landis, if I may, a few questions just off the bat so I'd be sure I understand what your amendments do. There are four or five different parts to the amendment. Actually you are dealing with four or five different areas. And I