

exist. This amendment, I think you all almost have it, would provide that the court may allow, or shall allow the admission into evidence of collateral source payments that have already been made to the litigant or litigants in this particular case. It appears to me that, based upon the issue of simple fairness, that this type of information should be presented to a jury to be part of their deliberation as to what any amount of damages that may be allowed, whether real or compensation for pain and suffering, loss of income, whatever that should be, should be allowed to be presented to the jury, should be part of the findings. So, with that, I would encourage your consideration of this amendment and certainly will be interested in the discussion. Thank you, Mr. Speaker.

SPEAKER BACK: Thank you, Senator Coordsen. I'll go down through the list and we'll see if you want to speak on this amendment. Senator Nelson, do you wish to speak on the Coordsen amendment? Senator Nelson.

SENATOR NELSON: Yes, Mr. Speaker. I, too, somewhat feel like Senator Coordsen. Maybe I have a little better advantage. I have sat through this three times in Judiciary Committee. And I am a lay person. I was going to just necessarily speak on the bill, and when we're back to slight gross and so on and how I interpret it, and so on. But now along comes the Coordsen amendment, and actually this is an amendment that I've given it a lot of consideration, and I'm going to be against it, very much against it, I believe. What is fair? I buy insurance, I protect myself and so on. I do it in a prudent fashion, a good business fashion. I spend \$400 a year in buying my own insurance and taking care of myself and my assets. All right, what this amendment would do would take that into consideration in the settlement and I would not be compensated for being frugal and for carrying insurance and protecting myself. So then when it comes to the collateral source and the settlement, I would have that deducted. For example, two people are coming into receive a settlement, one had insurance and one did not. I will be penalized for being...taking care of my business, trying to do the best I can and protect myself. So, in that instance, I then would be denied the benefit of carrying insurance, for myself, or my family, or whoever it may be. I thought about this a lot. And none of us want insurance to...or have to pay any more insurance than we want to or we need to. From that on, I will go back on down. I have a lot of faith in Harvey Purlman. I know he had a lot to do with the writing of LB 88.