

about banks, they think about more personal issues. This issue, to me, is about...is the same thing. As I went door to door, and as many of you did, I'm sure no one came to the door and said, I'll tell you what we really need is tort reform. This is a lawyers and insurance company business bill. Now, it has impact on individuals, but the individuals don't think about it unless they have an accident, and there comes...that's where you separate those who know and those who do not know. I do have a couple of questions. And, incidentally, in my district I have five people on one side who want this bill, and five people on the other side who don't want this bill, and I think they all voted for me. So I'm trying to hang onto all of them, I need those 10 votes. (Laughter.) Well, having said that, I do have a couple of questions, because I know of one case in particular. Senator Abboud or Senator Kristensen, whichever...whatever lawyer, Senator Chambers, you can answer this question. Collateral source shall mean a nonsubrogated benefit paid or payable to the claimant or on his behalf and so on, pursuant to the federal Social Security, and if you have sickness and accident insurance, income wage replacement insurance. If you are in court, if you...say you're going to go to court to try this case, and then you settle it out of court, and you have health and accident insurance that's paying for your injuries, and then you make a lump sum settlement for pain, injury, et cetera. Can the health insurance company go back and subrogate to take part of that settlement? Senator Abboud says yes. See, I don't like that at all. I know of one case that that would have wiped that family out, if that had happened after they got the settlement and with their Blue Cross and Blue Shield or all the insurance that they had to keep...take care of the injured person. The other thing I have, since I have the floor, Senator Kristensen, I want a quick answer on the noneconomic side of it, that concerns me too, because most of us don't carry insurance for certain things. I know of one case in particular where a woman was raped when she was staying in a hotel room. She had been here in Lincoln to do a contract job for the public schools. The man who raped her, incidentally, had had three sexual assault convictions. The noneconomic side of it for her would be...it seems to me, and I'm confused between your two amendments, that's why I'm asking this question. Most of us don't carry rape insurance, right? No, we don't. So, how do you...would she not be able to recover anything for the noneconomic...from the hotel or from whomever is liable?