

which is the maximum amount of coverage that the city has and, for that reason, this amendment is unnecessary. That language will have...will say specifically that a 100 percent of the expected claims must be in an aggregate pool, either at the very beginning of the year or in the course of over 12 months, so that the sum total in either of the two plans that were talked about on General File will have a 100 percent of the money the city or the school district has to come up with obligated to be there for the plan. Secondly, let's remember that this is not the practice of insurance. The managing of these deductibles is not the management of insurance. Third, the Department of Insurance has told us clearly they don't want this function; they don't need this function. They have opined that 167 is good policy as it is; that they don't have the personnel and the resources to do this function and that, lastly, there is the availability, of course, of the actuarial overview that will be a springboard to the operation of any of these mechanisms. But most specifically to Senator Wesely, I will tell him that I've drafted an amendment following this one which makes it clear that in both of the examples I gave on General File a 100 percent of the aggregate expected claims that the city or the school district is on the line for will be put into a pool and put into a separate, restricted fund either at the beginning of the year or in 12 accrual periods throughout the year and that obligation will be statutory. I find that the Wesely amendment, although well-intentioned, is unnecessary and actually causes us a good deal of cost and work that will eat into the value of LB 167 and it's my hope that we will defeat this amendment.

PRESIDENT MOUL: Thank you, Senator Landis. Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President, members. I also rise to oppose the Wesely amendment and those were the things that were discussed. Quite frankly, the school districts and any other political subdivision that enter into these sorts of things still have the basic integrity that they have to abide by and, although you're going to hear a number of amendments perhaps here that raise a lot of straw issues, I think we need to recognize them for just what they are and that is straw issues or attempts to delay and to try to last this storm out. With that, I would oppose this amendment. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Nelson, followed by Senators Moore and Chizek. Senator Nelson.