

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

February 13, 2003 LB 216

place. And so that was the reason behind the initial change in LB 216. It should also be noted that the file and use change just applies to commercial coverages, and so there is a certain degree of sophistication that is presumed when you are dealing with a business that wishes some insurance coverage. And so when you look at the amendments to this, this changes that just somewhat slightly. The first amendment that says that an insurer may at its option file policy forms and related rules of attachment in accordance with Section 44-7513. What that particular section would do or what this amendment would do would be, basically, would allow this insurer the option of getting prior approval from the director rather than going to the file and use. It, basically, gives another option. I guess my question or I guess one person mentioned to me in looking at that, that would be a little bit, if you look at, like paying for the box seat at the baseball stadium and then going out and sitting in the bleachers perhaps. That would be something or an additional hoop to jump through that perhaps the insurance companies, the insurers wouldn't probably be all that excited about taking. Again, the director does have a certain degree of discretion and a certain degree in flexibility in the way that the bill is right now in when he can and when the department actually does review the forms that are on file right now. Some of the other amendments that are a part of Senator Beutler's amendment to LB 216 could possibly impinge on the director's flexibility and take away some of the director's discretion as to when he actually did review those forms. And I guess my point is is that we haven't had a chance to thoroughly digest the full import of this particular amendment. But my caution would be is that we don't want to unduly impinge on the discretion of the director, who is put in place to protect not only consumers but all consumers of insurance products in the state of Nebraska. But I do appreciate the opportunity to discuss LB 216 some more, and I would welcome more conversation on the topic.

SENATOR CUDABACK: Thank you, Senator. Thank you, Senator Quandahl. We are discussing the Beutler amendment to LB 216. Further discussion? Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, Senator Quandahl, let me