

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

February 25, 2003 LB 216

have been in compliance then the director may vacate the order requiring that insurer to use the preapproval process, or it says shall vacate such an order. I change the "shall" to "may" to give the director more discretion because the language itself doesn't really say how many filings subsequent to the incident have to be in compliance in order to vacate the order. And so if you're not going to determine an exact number and if you...and it seems to me that this is clearly a situation where you want to give the director some latitude, it seems to me to make sense in that instance to say that the order may be vacated by the director and not shall be vacated. So those are the three changes that I'm suggesting in this amendment, Mr. Speaker. Thank you.

SPEAKER BROMM: Thank you, Senator Beutler. Senator Quandahl.

SENATOR QUANDAHL: Thank you, Mr. Speaker, members of the body, and this is a continuation of the discussion that was started on General File and Select File, and discussion has been continuing with Senator Beutler's office and with the Department of Insurance and my office also, and so I wanted to rise to kind of tell everybody what...I guess what my position is on these two amendments. Senator Beutler was nice enough to take his first amendment out and split it up into two, because I will tell you that I am supportive of this amendment, AM0542. It is something that does give the director some additional discretion, some additional latitude. It makes sense to add this to the Department of Insurance bill at this time, so I will be supportive of this amendment, AM0542. But I will say AM0543 is another matter, but you will see me in support of this amendment. Thank you.

SPEAKER BROMM: Thank you, Senator Quandahl. Any further discussion? Senator Beutler, to close on your motion.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, again, these three changes generally work towards giving the director more discretion and giving the insurers more alternatives, and I would recommend their adoption. Thank you.

SPEAKER BROMM: Thank you, Senator Beutler. The question then