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

January 27, 2005 LB 119

pay off on. And people will retain a lawyer, which is an additional expense, and sometimes be able to get that company to what it ought to have done in the first place. Insurance companies are so powerful that even the federal government has trouble dealing with the insurance industry. The insurance industry bullies everybody. Why do you think there's a move in Congress to limit the amount of money that can be recovered by a person who has suffered a grievous injury as a result of the negligence of a physician, even if it is gross? Because of the insurance industry. And how does the insurance industry wield that tremendous power? It tells doctors, we're not going to sell you insurance unless you find a way to get these legislators to say that we're not going to have to adequately compensate people when they're injured as a result of medical malpractice. States individually are not going to be able to be a match for the large insurance companies. If you look at all of the things that these insurance companies can do, and the states will go along with it, you'll understand what I'm talking about. But since you don't live in an area or represent an area of the kind that I live in and represent, that Senator Preister lives in and represents, you're not aware that because of the mere fact that a person lives in a certain geographic area of the city, rates can be higher on your automobile, having nothing whatsoever to do with claims made or claims made by the specific individual, but the area is redlined, something banks are not legally allowed to do. You redline it for the purpose of discriminating. The insurance companies can do it. And Senator Bourne doesn't understand this; because they have such power. It is not that they present a persuasive argument. They say, we're going to do this, and the Insurance Department says, okay, that's okay. Suppose there are policies sold. Senator Beutler is right that people don't read insurance Insurance salespersons know this, so they make policies. representations to the person about what the policy says and what it will cover, and everybody who has ever entered into a contract or read about a contract will know that there are provisions which will say, no representations outside this binding, contract are but it doesn't say, representations will be made. Courts will say that you stay within the four corners of the contract, the written agreement. So bad insurance is sold to the people of Nebraska, ...