

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

February 8, 2006 LB 875

will be, in conspicuous type, and the Department of Insurance is going to decide what is conspicuous and what is appropriate under the language of the statute, but it will say, a notice of risk. It will outline pretty much the things that were in the notice in the bill, but it will not be a separate page. It will be a part of the contract. There will be...

SENATOR CUDABACK: Time, Senator Bourne.

SENATOR BEUTLER: ...a required initialing of that particular paragraph of the contract,...

SENATOR CUDABACK: Your time is up, Senator.

SENATOR BEUTLER: ...reciting that they've read the notice.

SENATOR CUDABACK: Thank you, Senator Bourne. Senator Redfield.

SENATOR REDFIELD: Thank you, Senator Cudaback, members of the body. I want to set the record straight. I clearly am supportive of any effort to protect the consumer. My concern is that notice doesn't quite accomplish what we had hoped here, and that clearly, when you sell a product as a retailer, you should stand behind your product. And if it's not a company that's domiciled in the state of Nebraska, which we can regulate and guarantee, then it would seem to me that the seller should be left holding that liability. But I applaud what Senator Beutler is trying to do, in at least advising the consumer of what's going on. I just hope that they would actually see the notice, that it would be conspicuous enough that they would pay heed to it and understand it, that it would be in language that they understood from their frame of reference, which is layman's terms, not the ones we understand between domestic and domiciled insurance companies in the state of Nebraska. That is my concern, not that the consumer not be warned. But clearly, I think that they are working out something. It will improve the situation, but I don't think that it will prevent harm to the consumer, like we would all like to see. Thank you.

SENATOR CUDABACK: Senator Mines. Senator Mines, I'm sorry. You have spoken three times, Senator Mines. Senator Thompson.