

February 1, 1984

LB 808, 360

motion to advance LB 808 from General File to Enrollment and Review for review. Please record your vote. Please record your vote on the motion to advance LB 808 from General File to Enrollment and Review for review. The Clerk will record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

PRESIDENT: The motion carried and the bill is advanced. LB 360.

CLERK: Mr. President, 360 was a bill introduced by Senator DeCamp. (Read title.) The bill was read on January 17th of last year. It was referred to the Banking, Commerce and Insurance Committee for hearing, Mr. President.

PRESIDENT: The Chair recognizes Senator DeCamp for ten minutes for an explanation of the bill.

SENATOR DECAMP: Mr. President, what I would like to do is adopt the amendment and then we will decide if we want to proceed further on the bill. The amendment is designed to take a lot of the controversy out of the bill. LB 360 is a controversial bill, no question about that. When LB 360 was heard in the committee, those testifying for the bill offered to allow for changes, amendments, should some people have some problems with the bill. There were some people, lots of them, and they had some problems. The amendment that I have offered was put in the Journal sometime ago and it merely broadens the coverage to include the spouse or closest relative of the deceased party should the accident be of a fatal nature. Most importantly, this amendment would allow for the taking of any statement within the amended fifteen day period by an adverse party. However, should litigation be involved, those statements would be disavowed in a court of law. In addition to that, this amendment is designed that the provisions of subsection 1 of this section relating to settlements, releases and statements obtained by a person whose interest is or may become adverse to an injured patient shall not apply if at least five days prior to obtaining the settlement, release