

SPEAKER NICHOL: Senator Lynch, please.

SENATOR LYNCH: If there are no other lights on.

SPEAKER NICHOL: Well, I have other lights but I believe they wanted to talk to your amendment rather this amendment to the amendment. So I will recognize you, Senator Lynch.

SENATOR LYNCH: I will talk to the amendment to the amendment. Senator Johnson is absolutely right with his brilliant, analytical, legal mind. He has seen, obviously, what was the intention of the bill. I will say again because of ERISA this kind of legislation is necessary. What market is left out there? Who will, in fact, be affected by and receive the benefit of any mandated benefit? Very few people. I already mentioned a litany of people who won't be affected, those, for example, on Medicaid and on Medicare, those people who are uninsured, and the people who are left and suffer from an effort for a mandated benefit are, in fact, the farmer, the small businessman, and the individual who has no other place to go except through traditional insurance coverage. That is the reason that Section 3 exists and that is probably the best justification for it. It is true. There will probably be no more mandated benefits until someone at the federal level recognizes this problem and does something about it. Recognize also that the State of Nebraska can enforce legislation that applies to insurance. It cannot enforce legislation as it applies to benefits, and ERISA law, of course, affects and applies to benefits. So I would say I agree with Senator Johnson. What this provides for and the benefit from this legislation would help those people, and what he says is true, but also because of what he says is true justifies, in my opinion and hopefully in the minds of the Legislature in listening to the debate, for the sake of the farmer, small businessman, and the person who is uninsured, the person who is, in fact, an individual policyholder, they need this kind of help. They can afford no longer the higher, escalating health care costs. Health care now represents, believe it or not, 12 percent of the gross national product and the only people affected by this effort on behalf of providers and others to get in on the health care dollar are those people that are left that can't get in on the innovative ways of being provided with health insurance. So the very thing that he mentioned is the very justification for the legislation. I would move and suggest