

April 4, 1995

LB 37  
LR 82, 85, 86

Senator Coordsen's bill. It may be a concept that, Senator Preister, you want to discuss, and to the extent that through this motion you can raise the issue and awareness, I have no problem with that. I just think that the rest of the Legislature needs to understand that that's what's happening here, and that I think a proper ruling would be to rule this as not germane, and I would support the Chair and, thus, you would want to vote no on overruling the Chair at this point. This really does go to how a company operates, and how it does its internal rating, and its mechanisms. Those are entirely different sections of statute. I am sure that this amendment, if adopted, would not go in the liability rules of the road nor in any of the other sections of financial responsibility. They are just entirely two different areas, and I think the Chair was absolutely correct but to the extent that those who are concerned about this issue through this motion, want to visit about the issue, raise it as an issue as a foreshadowing of what may come, I have no problem with that. We do that often. But the Chair was correct and I plan to vote no on the overruling of the Chair as I do think it was not germane.

**SPEAKER WITHEM:** Prior to recognizing the next Speaker, let me announce that while the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 82, LR 85 and LR 86. Senator Coordsen, you are recognized.

**SENATOR COORDSEN:** Thank you, Mr. Speaker, and members of the body, Senator Kristensen said most of what I was going to say. I did misstate this amendment 44...the section of bill referenced in the Preister amendment is, in fact, in the Fair Trade Practices Act of our insurance statutes and if you follow on through and if you just wanted to take a look at amendment 1083 for a little bit, it says misrepresents, fraudulent and misleading, misleads, it says the things that an insurance company who is licensed to do business in the State of Nebraska may not do. The germaneness question is not a question on the merits of the legislation. I remember sharing with Senator Preister that I thought it was a concern that was worthy of introducing a bill next session and going through the hearing process and explaining or...and exploring the issue in thoroughness because it may well be that something needs to be changed in the area of how automobile liability policies are rated in the State of Nebraska but not on LB 37. I think we have established a fairly strict germaneness precedent. This is again a totally different section of statute. The part...the