

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Banking, Commerce and Insurance Committee January 24, 2023

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**SLAMA:** Good afternoon and welcome to the Banking, Commerce and Insurance Committee. My name is Senator Julie Slama. I represent the 1st Legislative District in southeast Nebraska and I serve as chair of this committee. This committee will take up bills in the order posted. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today. The committee member will-- committee members will come and go during the hearing. We have to introduce bills in other committees and are called away for that reason. It is not an indication that we are not interested in the bill being heard in this committee, just part of the process. To better facilitate today's proceedings, I ask that you abide by the following procedures. The information is posted on the chart to your left. Please silence or turn off your cell phones. Move to the front row when you are ready to testify. And the order of testimony will be as follows: introducer, proponents, opponents, and neutral, and then closing for the introducer if they so wish. Testifiers, please sign in. Hand your pink sign-in sheet to the committee clerk when you come up to testify. Please spell your name for the record when you testify and be con-- be concise. It is my request that you limit your testimony to five minutes, or preferably less. If you will not be testifying at the microphone but want to go on record as having a position on a bill being here-- heard today, there are white tablets at each entrance where you may leave your name and other pertinent information. These sign-in sheets will become exhibits in the permanent record at the end of today's hearing. Written materials may be distributed to the committee members as exhibits only while testimony is being offered. Hand them to the page for distribution to the committee and staff when you come up to testify; we need ten copies to cover everyone. If you have written testimony but do not have ten copies, please raise your hand now so the page can make copies for you. To my immediate right is committee counsel Joshua Christolear. To my left, at the end of the table, is our committee clerk, Natalie Schunk. The committee members with us today will introduce themselves beginning at my far left with Senator Bostar.

**BOSTAR:** Eliot Bostar, District 29.

**von GILLERN:** Brad von Gillern, District 4.

**AGUILAR:** Ray Aguilar, District 35.

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**JACOBSON:** Senator Mike Jacobson, District 42.

**KAUTH:** Senator Kathleen Kauth, District 31.

**BALLARD:** Beau Ballard, District 21.

**DUNGAN:** George Dungan, District 26.

**SLAMA:** All right. The-- also assisting the committee today are the committee pages, Caitlyn Croft and Isabel Kolb. The committee will take up bills today in the following order. We'll have the appointment of Eric Dunning to the Department of Insurance, LB132, LB151, LB296, and then LB92. So we will open with the gubernatorial appointment of Eric Dunning for the Department of Insurance. Welcome to the committee, Mr. Dunning.

**ERIC DUNNING:** Good afternoon, Madam Chair. Members of the Banking, Commerce and Insurance Committee, my name is Eric Dunning. For the record, that spelled E-r-i-c D-u-n-n-i-n-g. I've been appointed as director of the Nebraska Department of Insurance, and I'm here today to ask this committee advance me for confirmation to the full Legislature. Most of my professional career has been spent in one form or another in insurance regulation. Serving as director in one of the most important regulatory jurisdictions in the U.S. is a huge responsibility, one which I hope to live up to, and I hope to live up to the trust that has been built up by the Nebraska Department of Insurance and carry on a long, long legacy of effective, efficient and ultimately customer-focused insurance regulation. By way of background, I'm a sixth-generation Nebraskan who was born and raised in Lincoln. I live in Omaha with my wife and two children. However, Omaha is not my only home. I spend any available weekend on what remains of my great-grandparents' home place in Wheeler County. I graduated from Lincoln High, the University of Nebraska-Lincoln, and Notre Dame Law School. After law school, I ran away from home to spend three years working for the Colorado General Assembly drafting insurance and banking bills. But Denver wasn't home. The Colorado and-- and-- the Colorado General Assembly and governor didn't quite seem real, so I thought I'd better come home to Nebraska, where everything does. For 15 years, I worked with a well-respected and talented group of regulators. The agency regulated and grew one of the largest domestic insurance regulatory structures in the U.S. I learned from three very talented former directors of insurance that the core

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of the regulator's responsibility is and always is solvency. Directors Wagner, Frohman and Ramage left a legacy of balanced and sensible insurance regulation. The most important function of any department of insurance is to make sure that the insurers have the resources to keep the promises that they've made in the insurance policy. All other things flow from there. It doesn't matter how broad the promise is if there isn't any money to pay for it. That approach to regulation has made the Nebraska department a nationally-respected regulator. After my service at the Department of Insurance, I spent seven-and-a-half years in government affairs for a Nebra-- for a large Nebraska insurer. I worked with the Legislature and Nebraska's executive branch to answer questions, try to resolve concerns, and come to the table to help develop solutions to hopefully meet the needs of the stakeholders. As part of that process, I've been even more aware that even the best-intentioned proposals can cause significant compliance costs for the regulated community. And I learned that there are ways to implement policy in ways to minimize unnecessary cost while still intend-- accomplishing the intended result. Former-Governor Ricketts appointed me to serve as the director in 2021. In my return to NDOI, I focused on bringing to the table all the knowledge I'd gained in 25 years in the insurance business to oversee the best Department of Insurance in the country. I've leaned into the-- into the importance of transparency into that role. The department reengaged in a top-to-bottom review of all regulations and guidance documents. We repealed a half a dozen needless regulations and we cut the number of guidance documents by two thirds so that when the Department of Insurance speaks, that, that folks have time to listen. We've created a series of free online continuing legal and insurance agent education events to help the regulated community understand parts of the regulation that may be unclear. We've traveled around the state and conducted public learning sessions to discuss changes to health insurance. We've under-- undertaken a review of processes in licensing and fraud to streamline processes to make it easier to interact with the department. We've also managed to continue the, the work of growing Nebraska since 2021 with some important re-domestications of insurers to the state. Nebraska's insurance sector is an incredibly vibrant part of our economic life. I've seen studies describing Nebraska as the third most insurance-focused economy in the U.S. There are many ways to measure the size of a domestic industry, but I like measuring by surplus and, under that measurement, Nebraska has the largest domestic insurance industry in the U.S. We are third, if

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measured by assets, only behind New York and Iowa, but ahead of Connecticut. It's gratifying to see the 14,000 Nebraskans who work very hard every day for Nebraska domestic companies to bring solid and desirable insurance products to the market. With a large presence in Nebraska, the jobs that the industry has brought with it provide a significant economic presence in the state, and one that I will continue to be focused on in helping to con-- continue to flourish and grow. Insurance is-- insurance regulation is unique in the U.S. because the states oversee the regulation of the business of insurance. We as states strive for uniformity for financial oversight, and our regulatory resources are targeted on the domestic industry, who also seeks uniformity from state to state in those governing rules. This represents a huge responsibility, not only for the department but also for the Legislature and for this committee. This committee has played a vital role over the years in keeping Nebraska's statutes current so that we have up-to-date and nationally uniform standards. Your committee's close attention to this work, while often technical and even sometimes, unfortunately, dense, has been vital. I hope to continue to work with you to keep up that good work. With that, Madam Chair, I'll wrap up and be happy to answer any questions you may have about the wonderful world of insurance regulation.

**SLAMA:** We could talk all day. Thank you, Mr. Dunning.

**ERIC DUNNING:** If you like, ma'am, I can. [LAUGHTER]

**SLAMA:** I think I'd be marooned by the committee if I did. All right. Are there any questions from the committee for Mr. Dunning? Seeing none, thank you very much for your years of service and your willingness to continue to serve.

**ERIC DUNNING:** Thank you, ma'am.

**SLAMA:** Next on the agenda-- oh, yes. Are there any proponents for Mr. Dunning?

**ROBERT BELL:** Yes, there are.

**SLAMA:** Welcome to the committee, Mr. Bell.

**ROBERT BELL:** Thank you, Chairwoman Slama and members of the Banking, Commerce and Insurance Committee. My name is Robert M. Bell. Last name is spelled B-e-l-l. I am the executive director and registered

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lobbyist for the Nebraska Insurance Federation. I am here today to testify in support of the confirmation of Eric Dunning as Director of Insurance. The Nebraska Insurance Federation is a state trade association of insurance companies. The federation currently has over 40 member insurance companies. Members of the federation include companies who write all lines of insurance and who provide over 16,000 jobs to the Nebraska economy and over \$14 billion of economic impact to the state on an annual basis. Perhaps most importantly, though, the Nebraska Insurance Federation member companies provide high-value, quality insurance products that protect Nebraskans during difficult times. Insurance is important to the economy of Nebraska and Nebraska has become known as a very attractive home for insurance companies for a number of reasons, including: an attractive premium tax rate, which directly impacts Nebraska insurers' competitiveness in other states; relative ease of working with the Legislature-- thank you very much-- on needed laws; and the reputation of the Department of Insurance. The reputation of Director Dunning and the department with the insurance industry and with insurance regulators nationwide, and really internationally, is beyond reproach. During his tenure, Director Dunning has worked to grow this reputation by working within the industry when issues arise, yet has been tough but fair when insurance companies need to be held accountable. According to the member companies of the federation, one of the major differences between the Nebraska department and other state insurance departments is the approachability and responsiveness of the staff. When companies are looking for a new home, Nebraska stands out in this regard. If an insurer has a concern or an issue, companies are able to access the department staff, whether an examiner, an actuary, an attorney, or even the director-- even Director Dunning himself. A couple of years ago, when Governor Ricketts was seeking a new Director of Insurance, the federation put together a framework of traits the industry would like to see in the director and provided this framework to the then-Governor. These traits included stability-- excuse me, can't talk-- stability, reliability and continuity of the Nebraska insurance market, insurance business acumen, recognition of the Nebraska insurance landscape, the ability to communicate effectively, team management, and the ability to represent Nebraska well. The Nebraska Insurance Federation believes that Director Dunning meets and exceeds this framework, and the members of the federation were thrilled when Governor Pillen announced Director Dunning's continued appointment. His confirmation will be an asset to Nebraska insurers,

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consumers and the state as a whole, and we urge the committee to advance his confirmation. Thank you for the opportunity to testify.

**SLAMA:** Thank you very much, Mr. Bell. Are there any questions from the committee? Seeing none, thank you very much.

**ROBERT BELL:** You're welcome.

**ANN AMES:** Good afternoon, Senators. I'm Ann Ames, last name A-m-e-s, and I'm the CEO for the Independent Insurance Agents of Nebraska. And I'm here on their behalf to also urge you to confirm or send to the Legislature confirmation for Eric Dunning as Department of Insurance Director. I'm relatively new to this role. I've been here since July, and Director Dunning took time to meet with me personally and share with me the most important things he thought I needed to know in the insurance industry. And he has a tremendous amount of knowledge in the industry, both statewide and nationally. He understands that the independent agents have different challenges and things that are important to them. Typically, our agents see people on their worst days, and he has shown himself to be an empathetic leader, which I think is extremely important. He has a very close relationship with the "big I" and seeks out our input on issues. He's been proven to be open minded and willing to consider differing opinions as well as compromise to meet in the middle. He's reached out to us on issues from licensing all the way to crop insurance and even made a point to sit down and talk with us for 45 minutes in-depth on crop insurance. So he's-- he's committed to the state of Nebraska. He's committed to helping our agents. We represent 500 member agencies and more than 2,000 agents. And so with that being said, we strongly support-- support the appointment of Mr. Dunning.

**SLAMA:** Thank you very much, Ms. Ames. Are there any questions from the committee? Seeing none, thank you very much. All right, are there any additional proponents? Seeing none, are there any opponents? Seeing none, are there any neutral testifiers? All right. Well, that will-- brings-- are there any letters for the record on this appointment? Solid. Seeing none, there-- this brings to a close the confirmation hearing for Eric Dunning to the Department of Insurance. We'll now open the hearing on LB132, introduced by Senator John Cavanaugh.

**J. CAVANAUGH:** Ready?

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**SLAMA:** Yes. Welcome, Senator Cavanaugh.

**J. CAVANAUGH:** Good afternoon, Chairwoman Slama. Members of the Banking Committee-- Banking, Commerce and Insurance Committee, my name is John Cavanaugh. It's J-o-h-n C-a-v-a-n-a-u-g-h, and I represent the 9th Legislative District in midtown Omaha. And I'm here today to introduce LB132, the Automatic Renewal Limitation Act. I think all of us, in some form or another, have signed up for an automatically renewing subscription, whether it's a streaming service like Netflix or a newspaper subscription to the Omaha World-Herald or Lincoln Journal Star. It's convenient to have an automatic withdrawal from your checking account or your debit or credit card to pay for an ongoing subscription that you have-- that you use every other month throughout the year. But consumers who sign up for these subscriptions deserve not to be tricked or deceived or prevented from canceling their subscription due to inconvenience or inaccessibility options to cancel. LB132 would require clear and conspicuous disclosure of terms and the consumer's explicit consent before the consumer enters into an automatic renewal agreement; requires a disclosure that the subscription will continue until the consumer cancels, a description of the cancellation policy, the recurring charges, and if the amount charged may change, and if that-- if so, to what amount, the length of the automatic renewal term or its services continue. It also requires notice of any change in terms or the amount charged. If the business allows a consumer to enter into an automatic renewal agreement online, the bill requires that the business also allow consumers to cancel that agreement online. Most of these are straightforward examples of things that are best practices for businesses that operate online, as nearly every business that offers an automatic renewal option does. But I'm sure everyone can think of a time when you tried to cancel a subscription and were told you can only do so by calling a phone number or taking time out of your day while waiting on hold. That experience is exactly what led me to introduce this bill. I looked around the country to find an example of the best practices and to see what other states have done. This is a bill modeled-- modeled after California law, which laid out requirements and exceptions, including an exception for any business who makes a good-faith effort to comply with the law. Additionally, businesses regulated by the FCC, FERC, and the Department of Insurance and other financial institutions are exempted from the requirements of this law. I'm willing to work with the committee and the business community to further tailor the

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language to what would work for Nebraska. This is a consumer protection bill. I thank you for your time, and I'd like to thank the committee for the support to move this on to General File. I'm happy to take any questions.

**SLAMA:** Thank you very much, Senator Cavanaugh. Are there any questions from the committee? Yes, Senator Jacobson.

**JACOBSON:** Senator Cavanaugh, I guess-- I'm reading through the bill. I'm trying to be clear and understanding. I'm, I'm a slow reader, but I think about notifications for automatic renewal. One of the things I've found when you're automatically renewing is you found out-- find out that you automatically renewed after it goes through your account and you've already renewed. And so when we look at notices coming up to that, in other words, we-- we can say upfront when we buy something that we're agreeing to the automatic renewal, but is there any reminder prior to the renewal that's contained in the bill that would require some notification prior to the renewal actually taking place--

**J. CAVANAUGH:** So-- and the--

**JACOBSON:** --other than the initial?

**J. CAVANAUGH:** Right, so you bring up a good point and there's actually-- I don't know if anybody's going to testify, but I've heard from a few folks who are concerned about specifically how that notification would come out. It does require that you make a notification ahead of time, before either the annual renewal or really a monthly renewal, and there-- there is room to work on making sure that this is not too cumbersome, because there are some folks who are concerned that it would be prohibitive to make these sorts of notifications. And I'm certainly willing to try and figure out a way that makes sure people actually get notice but also it's not going to put companies in a position where they can't offer a month-to-month really.

**JACOBSON:** Sure, and I'm sympathetic. I-- in my mind, month-to-month, it, it serves its own purpose. I don't, I don't think month-to-month would be something I'm looking at. I'm looking more at maybe annual, but particularly something that's less frequent than annually. It's out of sight, out of mind, and that's where I guess my concerns would come in, so.



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**J. CAVANAUGH:** Yeah, and so this, this would add a new affirmative responsibility that they make a notification in an explicit way and clear that the renewal is coming up and that re-- that notification would also have to include the method by which you could cancel that-- that automatic renewal if you so chose.

**JACOBSON:** Yeah, I mean, I'm just kind of referencing in the banking world that I've got a consumer that's got a CD. When that CD comes due, I've got to notify them that the CD is coming due and that they have the opportunity to redeem it.

**J. CAVANAUGH:** And this wouldn't address that because we're specifically not addressing financial institutions.

**JACOBSON:** I understand that, but I'm just saying the same-- the concept is the same.

**J. CAVANAUGH:** Yeah, I'm-- I'm not trying to get into that world and trying to mess with your regulations.

**JACOBSON:** I'm glad you're not. [LAUGHTER]

**SLAMA:** Fantastic. Thank you, Senator Jacobson. Senator Dungan.

**DUNGAN:** Thank you, Senator Cavanaugh. Just briefly, looking at the enforcement side of this, you mentioned that that's a civil penalty they'd be subjected to?

**J. CAVANAUGH:** Right.

**DUNGAN:** Is that generally just in line with the way that other statutes like this have been written in other jurisdictions? Is it generally a civil penalty they are subjected to?

**J. CAVANAUGH:** Yeah. Well, I-- I wouldn't want to get into a criminal penalty for Netflix not properly notifying me of a renewal. Yeah, so it's a civil penalty, which obviously is meant to dissuade, really, I think, you know, a unfair practice where you're trying to deceive somebody, really, through either lack of notification or making it difficult to keep \$20 or \$30 a month. It's \$2,500, is what the company's risking by not affording you the opportunity to cancel, and so it's just trying to make it not a financially beneficial situation to make it hard to cancel.

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**DUNGAN:** And it outlines there that a business that makes good-faith efforts to comply with the Automatic Renewal Act isn't subjected to those penalties. Is that a defense that then gets presented at that if it were to go to the civil trial?

**J. CAVANAUGH:** Right. Yeah, so you could-- I-- I think maybe the regulators would look at it and not file, you know, if somebody files a complaint, says they've made a good-faith effort. And it's my understanding California has had this law since 2018 and as far as I can tell, they haven't had any enforcement yet as a result. And so the good-faith exception has worked in California, I think, and obviously they've made efforts to comply with that law, or the businesses have.

**DUNGAN:** Thank you.

**SLAMA:** All right. Senator Von Gillern.

**von GILLERN:** You just answered my first question. That was, when did California implement that and do they have a track record on it? And to your knowledge, there's not much of a track record or they've not had any civil penalties?

**J. CAVANAUGH:** Well, I have-- I didn't find that there had been any--

**von GILLERN:** OK.

**J. CAVANAUGH:** --issued, but you can tell. I mean, if you look at companies, like I'm sure you're-- you're familiar with a lot of the companies that are based out of California, something like an Amazon or a Netflix, they do do a pretty good job of making it available for you to cancel and notifying you when there's a rate change. Netflix comes to mind when it constantly-- whenever my rate goes up, they will send me a thing that says going from \$9.99 a month to \$11.99 a month and that I can cancel if I don't want to go to that amount. And so that's-- you probably don't even-- people-- most people don't even notice it when it's working well like that, but it's other-- it's the instances where it doesn't work well that--

**von GILLERN:** Right.

**J. CAVANAUGH:** --we have a problem.

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**von GILLERN:** And another question. There are some subscriptions that are monthly renewals, and this would obviously create quite a burden for those companies. Is there an exception for monthly renewals? Is this only annual?

**J. CAVANAUGH:** There is not an exception, but-- and like I said, I think maybe there's some folks will testify after me that have reached out to me about that concern.

**von GILLERN:** OK.

**J. CAVANAUGH:** And, you know, we're looking at ways that we can address that and had a couple of conversations, certainly willing to figure that out. It's not my intention to make it impossible to offer monthly renewals, just want to make sure there's an effective notification process. And really, allowing people to have a clear way to cancel is really the key.

**von GILLERN:** Great. Thank you.

**SLAMA:** Thank you. Thank you, Senator Van Gillern. Senator Kauth.

**KAUTH:** What-- what is the scope of the problem here in Nebraska?

**J. CAVANAUGH:** I-- honestly, I don't know the answer to that. I mean, I know the places where I have encountered it personally. And since I introduced this bill, I've heard from a lot of people suggesting other places that I hadn't even thought of. My personal interaction has to do with newspapers and-- but I've heard from people about things like gyms and I've heard from people about things like-- I don't know what-- what you'd call it, but OnStar or something, somebody suggested to me, I don't know what that's called. But like long, you know, subscription services that are, at least at this point, are not based in California, is probably what it is, and, you know, the-- there's probably more that I'm just not even thinking of. There are some folks, like I said, who reached out to me, who not-- who I don't think are bad actors and who are not people I was intending to cover by this statute, and so willing to figure out a way to make sure that they're not going to be adversely affected.

**KAUTH:** Thank you.

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**SLAMA:** Thank you, Senator Kauth. Any other questions? I have just one, Senator Cavanaugh. Looking through this bill, I was wondering if the Attorney General's Consumer Protection Agency would be involved at all in enforcement or would this be solely brought by individuals?

**J. CAVANAUGH:** That's a good question. I think that the Attorney General's Office probably would be the one you-- that would be required to do the enforcement. I don't-- I don't think it should be a private right of action. I think you'd have to--

**SLAMA:** Sure.

**J. CAVANAUGH:** --file a complaint with the state and the state would then pursue that action.

**SLAMA:** Great. Thank you. Any other questions?

**von GILLERN:** I do have one more.

**SLAMA:** Yes.

**von GILLERN:** Forgive me for another follow-up. You mentioned businesses that are based in California. The law applies to businesses that are doing business in the state of Nebraska, not just domiciled.

**J. CAVANAUGH:** Right.

**von GILLERN:** It doesn't matter where they're domiciled, correct?

**J. CAVANAUGH:** Exactly.

**von GILLERN:** OK, great. Thank you.

**SLAMA:** All right. Any others? If not, thank you, Senator Cavanaugh. We'll now take proponent testimony for LB132. Seeing none, is there any opposition testimony for LB132? Welcome, Mr. Otto.

**RICH OTTO:** Welcome. Thanks. Good afternoon, Chairwoman Slama, members of the Banking, Commerce and Insurance Committee. I'm Rich Otto, R-i-c-h O-t-t-o, testifying in opposition to LB132 on behalf of the Nebraska Retail Federation, the Nebraska Grocery Industry Association, and the Nebraska Hospitality Association. First off, I wanted to let the committee know that in my household, all renewals are automatic.

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Some of those are "O-t-t-o-matic" and others are "a-u-t-o-matic." Just to let you know, I do prefer the "a-u-t-o-matic" renewals, but all seriousness-- to be serious, we do believe that auto renewal contracts are actually a benefit to consumers and we support reasonable legislation to ensure consumers get upfront, clear information about automatic renewals and the continuous service they offers, as well as easy-to-use cancellation options. As Senator Cavanaugh said, LB132 is modeled after a recently revised California law. No other states have such provisions, some of those provisions that California includes. Many states provide framework and core requirements needed to be helpful for both consumers and businesses alike. Those include Tennessee, Virginia, Oregon and New York, and we would encourage those to be reviewed as a possible path forward. However, LB132 creates some unique provisions that are not in any other state other than California. It makes it harder for companies to offer free gifts or trials to California citizens and requires companies to redesign user interfaces to ensure they are complying in order to serve California customers. We urge that you do not replicate this in Nebraska. A few of these are requiring specific reminder deadlines for free gifts and trials. Most states don't even require reminders because they receive clear information on the costs, including how to cancel, a form, and they can keep this on hand when they sign up for the free trial and get information on how to opt out when they're originally signing up. Prescriptive provisions about how to cancel go beyond any other state. Most states require a cost-effective, timely and easy-to-use method that is technology-neutral. We completely agree with this and are even willing to have consumers who sign up for services online be able to cancel online. However, the California bill may trigger lawsuits over any delays a consumer experiences when trying to cancel, unnecessarily uses terms like "immediately" that seem out of place when a consumer is not cancel-- canceling the underlying contract, they're just canceling the automatic renewal of such contract. And the contract may not have renewed or may still have a term that's ongoing when they're trying to cancel the auto-renewal. Laying out specifics related to direct links and buttons and overly pre-- prescriptive-- prescriptive items is not flexible for consumers who may engage through mobile apps and other gaming systems or way of engaging the business on how they started the subscription. The bill also gets into details about authenticating users, which becomes important only because the law seems to indicate any interruptions in the task of canceling would be construed as unlawfully delaying the

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cancellation. None of these extra revisions are necessary if we stick to the core principle of cost effective, timely and easy-to-use. Instead of su-- instead, we suggest replicating the most prevalent model that we see in states. It's not this that's in LB132. And so I, again, want to let the committee and Senator Cavanaugh know that we are open to working on this. It's not that we don't see a path forward, we just don't see it in LB132. And I'm open to answering any questions you may have.

**SLAMA:** OK. Thank you very much, Mr. Otto. Are there any questions from the committee? Senator Ballard.

**BALLARD:** Thank you, Madam Chair. Thank you for being here, Mr. Otto. In your research, have you-- pertaining to California, have you seen an overburdensome amount of le-- of lawsuits being filed based on this?

**RICH OTTO:** I don't know about the lawsuits. I know it was-- compliance from our members was significant, and I got feedback on what they had to do. And again, it's probably-- so the burden to our businesses is probably our number-one thing. But again, offers and other things have to be modified. So when businesses-- well, subscriptions to streaming services-- I know Hulu, we just got an offer to combine our Disney and Hulu-- whether or not some of those offers would then be available to consumers in Nebraska is-- is concerning, considering that you would have to notify them about it canceling, all that, others. We think businesses would just choose not to, but I can look into specific litigation, if that's the core of your question.

**BALLARD:** Thank you.

**SLAMA:** OK. Thank you, Senator Ballard. Are there any additional questions? Seeing none, thank you, Mr. Otto. Is there any additional opponent testimony? Is there any neutral testimony on LB132?

**\*JOHN WYVILL:** While the bill appears to exempt companies such as Cox Communications there is no definition of affiliate in Section 7 of the bill. In addition, the words "its subsidiaries" should be added to the bill. Both of these suggestions have been shared with the Sponsor prior to the hearing for consistency's sake and to ensure that there are no unintended consequences as to this point. We are working with

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the Sponsor to come up with an agreed upon technical correction amendment to address these items.

**SLAMA:** Senator Cavanaugh, you're welcome to close. And as you do that, let the record show that there was one letter received, a proponent of LB132, from Marrienne Williams.

**J. CAVANAUGH:** Thank you, Chairwoman-- Chairwoman Slama, and thank you members of the Banking, Commerce and Insurance Committee. And thank you, Mr. Otto, for coming. He and I spoke about this before, and I've spoke to quite a few other folks about some of these issues that he raised, and I appreciate him coming with kind of constructive criticism about the bill. I mean, bottom line is that we are at a point where a lot of people have a lot of online services and lots of services that are renewing automatically and sometimes gets to a point where people forget about them. That's one of-- the reason for the notice requirement. People have things out there that are just hanging out and they get charged over and over again. But fundamentally, the reason I-- I brought this bill really is that there are a lot of companies out there that rely on people not canceling as a result of frustration, and so you try to cancel a service and they make it hard to find a phone number, make it hard to contact them, and they make it hard to cancel. And so then you put off cancellation for another month or another month until you find you get so frustrated, and they've essentially got a lot of money out of you over that period of time. That's what we're seeking to resolve here with LB132, not trying to make it impossible to, you know, make good offers to entice somebody to join a service. I know I've-- I joined Hulu on one of those sort of, whatever you call it, in a free or trial basis, and I think I still have it and I-- and I know I have it, and I know I'm paying for it and I'm happy about it up to this point. But like I said, I've talked to a lot of folks who have some specific issues, willing to work on resolving those issues. But there is a problem out there and LB132 is, I think, the beginning of trying to find that solution, and I think we'll continue to work with Mr. Otto and others to maybe make some changes that we can propose as amendments if this bill does move forward.

**SLAMA:** Thank you, Senator Cavanaugh. Are there any questions from the committee? Seeing none, thank you, and that closes the hearing for LB132. We'll now open the hearing for LB151 from Senator Dover. Welcome to the committee, Senator Dover.

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**DOVER:** Thank you, Chairwoman Slama. And good afternoon, committee members. For the record, my name is Robert Dover, R-o-b-e-r-t D-o-v-e-r. I represent District 19, which consists of Madison County and the south half of Pierce County. I have introduced LB151 on behalf of the Nebraska Real Estate Commission to update and simplify two processes. First, LB151 updates the process for selection of new commissioners in relationship to congressional districts. Currently Nebraska Revised Statute 81 refers to the congressional districts as they were in 2006. LB151 revising the outdated language so that the commissioners selection process is based on the curr-- the congressional districts as they exist at the time of appointment. The bill also clarifies that when the congressional district lines are redrawn, any currently serving commissioner will fulfill their remainder of their term for their respective district. Second, LB151 expands the mailing methods to-- the Nebraska Real Estate Commission can employ to send formal notices. LB151 would allow the Nebraska Real Estate Commission to employ a designated delivery service as provided for in Revised Statute 25-505.1, and first-class mail. Notices sent via first-class mail must have intelligent mail barcode or similar tracking method approved by the United States Post-- Postal Service. This will-- this will allow Nebraska Real Estate Commission to employ newer mailing methods that are faster, less expensive, while maintaining tracking and confirming delivery. Greg Lemon, the director of the Nebraska Real Estate Commission, and Doug Dohse from the Nebraska REALTORS Association will follow me. After they have spoken, we'll be happy to answer any questions. Thank you for your time.

**SLAMA:** Thank you, Senator Dover. Are there any questions from the committee? Seeing none, thank you.

**DOVER:** Thank you.

**SLAMA:** Is there any proponent testimony? Quick to the draw. Welcome to the committee.

**GREG LEMON:** Thank you. Chairperson Slama and members of the Banking, Commerce and Insurance Committee, my name is Greg Lemon, G-r-e-g L-e-m-o-n. I am here today representing the Nebraska Real Estate Commission in support of LB151. And first of all, I would like to thank Senator Dover for introducing that bill on our behalf. As-- as Senator Dover very-- very-- explained very well-- and I guess I'll start out by saying you guys are going to hear a lot of controversial



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bills this year and a lot of things are going to take up a lot of your time. I sincerely believe this isn't one of them. I'm going to try to explain this quickly. I'll try to answer any questions you might have. The first thing we're doing-- and this arose because when we were doing our commission appointments, we had someone who thought they lived in, I believe, the 2nd Congressional District, and in fact they did, but we were basing it on the congressional districts as they existed in 2006. It makes sense for those congressional districts to be ref-- to reflect the current congressional districts for the appointment of the commissioners, both to avoid confusion and also so, the way we have it drafted, we don't have to come back every ten years and redo the legislation. So that's the first part of it. The second part of it relates to service of process and-- and also service of notices, and there's a couple of different things where this comes into play. The first is in our disciplinary actions where we have to serve somebody with notice that there's been a complaint filed against them or there was a hearing, something like that. The second is where, for procedural reasons, renewal reasons, they haven't done the things they need to do to renew their license and we have to notify people that they haven't properly renewed their license. So under current law, we have to do that by certified mail. A couple issues with certified mail. One is it's expensive; two is lately it hasn't been overly reliable. We can track certified mail very well. Many times we find that it's sitting in a post office somewhere. We don't know why, but it doesn't get to where it needs to go. Secondly, in some cases, for the disciplinary action, people who are getting in trouble over things sometimes try to avoid certified mail. And so having other methods to notify people is always a good option. Each of these methods provide for delivery confirmation. The statute cited that we use is the civil process statute that the courts use, so we're not treading any new ground here. The language related to a intelligent barcode tracking service is actually language which is currently in the Department of Insurance statutes for notification of failure to renew on insurance. And actually, that's probably what we would use for people who failure-- fail to properly renew their real estate licenses. And we send quite a few of those notices out, so that would save everybody time and money. So these are what I guess I would like to call-- this is what I'd like to call a good government bill. I don't think there's a lot of controversy. It helps us do our job a little better and I think helps us serve our licensees better. So I would be glad to answer any questions you might have. Once again, I

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want to thank Senator Dover and thank you for allowing me to speak today.

**SLAMA:** Wonderful. Thank you, Mr. Lemon. Are there any questions from the committee? Seeing none, thank you very much.

**GREG LEMON:** Thank you.

**SLAMA:** Additional proponent testimony?

**DOUGLAS DOHSE:** Good afternoon, Chairwoman Slama and members of the Banking, Commerce and Insurance Committee. My name is Douglas Dohse, D-o-u-g-l-a-s D-o-h-s-e. I am currently the president of the Nebraska REALTORS Association and I'm here to supp-- to support LB151 for our association. First, I'd like to thank Senator Dover for introducing this legislation and Director Lemon for collaborating with the association on the necessary updates for this-- for the Real Estate Commission. As you've heard-- you heard today, LB151 would update the commission's districts to provide that new appointments follow current congressional districts and allow additional methods of communication when notifying a licensee of an upcoming hearing. The Nebraska REALTORS Association feels both are necessary updates, and we would ask that you advance LB151. I thank you for your time and I would take any questions.

**SLAMA:** Fantastic. Thank you, Mr. Dohse. Any questions from the committee? Seeing none, thank you very much.

**DOUGLAS DOHSE:** Thank you.

**SLAMA:** All right. Any additional proponent testimony for LB151? Any opposition testimony for LB151? Seeing none, any neutral testimony? Fantastic. Senator Dover, you're welcome to close on LB151.

**DOVER:** If it pleases the committee, I would waive the closing.

**SLAMA:** We'll take it.

**DOVER:** Thank you.

**SLAMA:** Thank you very much, Mr. Dover. There are no letters for the record on LB151, so this closes the hearing on LB151. We'll now move

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to Senator Ballard's LB296. Welcome to your committee, Senator Ballard.

**BALLARD:** Good afternoon, Chair Slama, members of the Banking, Commerce and Insurance Committee. My name is Beau Ballard; for the record, that is B-e-a-u B-a-l-l-a-r-d, and I represent Legislative District 21 in northwest Lincoln and northern Lancaster County. Today I have the honor and privilege of introducing LB296, which would adopt pet insurance. So you ask, why is this important? Why is pet insurance so important? So I was-- as I was taking my-- my cocker spaniel on his regular 5:00 a.m. walk this morning, he-- he slipped on some ice. So he was fine, but what if he wasn't? What if he had a torn ligament? Am I willing to spend three to four months of my hard-earned state senator salary on fixing it, sending him to Kansas or Iowa to fix this cocker spaniel's leg? Yes, because he's part of my family, but a lot of people aren't in this position. So pet insurance is a-- is a rapidly expanding industry across the United States. According to information from the National Association of Pet and Health Insurers, pet insurance industry has grown by over 30 percent a year. Pet insurance is categorized by having a high frequency but low severity of claims, meaning that pet insurance consumers use their policies more than any other policies, but the cost of those claims are much lower than claims of these other type of insurance. The average policyholder of pet insurance files a claim about one-and-a-half times per year. The average monthly premiums for a dog is about \$50, and for a cat it's about \$32. The growth in the emergency insurance product come with the needs of additional consumer protections. LB9-- LB296 is based on model legislation endorsed by the National Association of Insurance Commissioners, the standards set in the regular-- or regulatory support organizations created and governed by chief insurance regulators from 50 states and the District of Columbia and five United States territories. These organizations have spent two-and-a-half years working with stakeholders from the insurance agency, veterinary community and others to develop legislation that's before you today. To keep it simple, LB296 creates just basic legal framework for the sale of pet insurance in Nebraska. This framework protects consumers and places needed requirement on insurers and agents selling pet insurance products. The protection includes three following steps. They provide disclosures, waiting period, and claim schedules. But also, importantly, the legislation also includes needed policy requirements for agents-- agents, and for-- training for agents

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that provide pet insurance. In some, the-- the provisions of LB296 will provide needed protection to Nebraskans interested in perching pet-- purchasing pet insurance so they can make informed decisions that's right for their family and their pet. I'd encourage the committee to advance LB296. Cosmo the cocker spaniel and I thank you for your consideration.

**SLAMA:** Thank you, Senator Ballard. Are there any questions from the committee? Yes, Senator Dungan.

**DUNGAN:** Senator Ballard, I appreciate you bringing this. As the owner of a Rhodesian ridgeback named Redford, he also, I'm sure appreciates it. I was going through this, and I think I had mentioned this to you prior to the-- the hearing starting today, but I just-- for a couple of points of clarification. Whenever we talk about insurance, obviously, the term "preexisting conditions" gets thrown around a lot. I saw there were provisions in here allowing for preexisting conditions to be taken into consideration before insuring a pet. Can you speak to that at all and to what level that might be taken into consideration? And to take that even a step further, does this contemplate the fact that maybe certain breeds that are more prone to having hereditary-- hereditary issues or things like that might not be able to be covered, or would those always have a higher premium? Can you speak towards that at all?

**BALLARD:** Yeah, so the preexisting-- yes, there is an exception for preexisting, except it would just have to be disclosed. So all the-- all the questions, yeah, just have to be disclosed, just setting up the legal framework, just trying to protect the consumers that purchase pet insurance.

**DUNGAN:** OK. Thank you.

**SLAMA:** Any additional questions? And following Senator Dungan's question, I can confirm that my Basset hound is far more expensive to insure than my mixed-breed Australian shepherd, so. Thank you very much, Senator Ballard.

**BALLARD:** Thank you, Chair.

**SLAMA:** All right. Any proponent testimony for LB296? Welcome.

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**MICHELLE MUIRHEAD:** Good afternoon, Chairwoman Slama and members of the Banking, Commerce and Insurance Commission [SIC]. Thank you for this opportunity to testify in support of LB296. My name is Michelle Muirhead, M-i-c-h-e-l-l-e M-u-i-r-h-e-a-d, and I'm assistant vice president of government relations at Physicians Mutual Insurance Company in Omaha. Nebraska has been our home and headquarters since 1902. Last year, Physicians Mutual began offering pet insurance for both dogs and cats as part of our portfolio of products, which includes Medicare supplement, dental, cancer and life insurance. We are happy to be offering coverage to pet owners across the state of Nebraska and nationwide, helping pet owners expand the life of their family pets. I'm here today-- I'm here today representing Physicians Mutual and the North American Pet Health Insurance Association, also known as NAPHIA, of which we are a member. NAPHIA represents essentially all of the pet insurance providers in Nebraska. Background has already been given, but as an-- as other brief background, more than 73 million cats and 75 million dogs in the U.S., about 2.5 to 3 percent, are covered by pet insurance. That is lower than in many parts of the world. Currently, more pets are insured in Canada, Australia and Europe than in the U.S., but coverage in the States is growing very quickly. In the last two years, growth has exceeded 25 percent per year. The demand for pet insurance is caused by a number of factors, two of which are that our pets are viewed as members of our family, and also that the accessibility of advanced medical treatments for pets has increased. However, this expansion has come with a price, and it is increasingly-- increasingly difficult for families to afford these services. Our industry's goal is to enable pets to receive the treatment their veterinarian recommends, not the treatment that can be afforded on a given day. As stated, the average pet insurance premium for cats is \$32 a month and, for dogs, about \$50 a month. These policies cover mainly accidents and illnesses, illnesses such as cancer, infections, digestive problems, bone fractures, and more common day-to-day things like allergies and ear infections. In the end, the industry wants consumers to be happy with their purchase of pet insurance and the coverage that we provide. That is why Physicians Mutual and NAPHIA support the bill that is before you today. We worked alongside the National Association of Insurance Commissioners, the Nebraska Department of Insurance, the veterinary community, and consumer advocates for more than two-and-a-half years, which led to the NAIC adopting the pet insurance model in August of 2022. We support the bill because it's good for consumers and industry

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participants alike. It's good for consumers because it mandates robust consumer disclosures. Especially in a growing market, we believe it is important that all consumers receive comprehensive and clear disclosures so they are provided with the information they need to understand what they're buying, no matter what company they purchase from. Second, this bill brings consistency to important concepts; for example, the bill would mandate that all insurers use the same definitions that today may be defined differently from company to company. Third, the bill requires that every agent selling our products has received appropriate training on the policy they are selling. Most, if not all, companies do train their agents today, but the bill would mandate agent training. The bill is good for industry participants, as well, because it brings clarity and consistency to our regulatory requirements. Going forward, we will have specific standardized requirements for all pet insurance carriers. Finally, on behalf of NAPHIA and Physicians Mutual, we want to thank the National Association of Insurance Commissioners, the Nebraska Insurance Federation, and the Nebraska Department of Insurance for their many efforts to develop a model law that helps consumers and creates a level playing field for all. In the interest of time, I'll conclude my remarks here with a respectful request to support the bill. I'd be happy to answer your questions.

**SLAMA:** Thank you very much. Are there any questions from the committee? Yes, Senator Aguilar.

**AGUILAR:** Yeah. Would you be able to buy pet insurance at any stage of the pet's life?

**MICHELLE MUIRHEAD:** Yes. At our company, you can. For instance, my boss has a dog that's an older dog. I believe the dog's about ten years old. And he did purchase a pet policy on the dog last year. And if the dog's older, sometimes you just pay a higher rate than somebody that's insuring a puppy, Senator.

**AGUILAR:** OK. Thank you.

**MICHELLE MUIRHEAD:** Yes.

**SLAMA:** Thank you, Senator Aguilar. Any additional questions? Yes, Senator Dungan.

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**DUNGAN:** I apparently have a lot of questions about pet insurance. Just to clarify this, as well, would these-- are they currently offered as standalone plans or are these elective add-ons to insurance plans that already exist? What's the normal practice and procedure for that?

**MICHELLE MUIRHEAD:** Well, for our company, it's-- it's a standalone plan that you purchase for your pet.

**DUNGAN:** OK. Thank you.

**MICHELLE MUIRHEAD:** Yes.

**SLAMA:** All right. Any additional questions? Seeing none, thank you so much for your testimony.

**MICHELLE MUIRHEAD:** Thank you.

**SLAMA:** Additional proponents? Welcome back, Mr. Bell.

**ROBERT BELL:** Thank you, Chairwoman Slama. Good afternoon again, Chairwoman Slama and members of the Banking, Commerce and Insurance Committee. My name is Robert M. Bell; last name is spelled B-e-l-l, and I am the executive director and registered lobbyist for the Nebraska Insurance Federation. I am here today in support of LB296, and I would like to thank Senator Ballard for introducing LB296 on the federation's behalf. I've also been authorized to state the support of the American Property and Casualty Insurance Association for LB296, as well, on the record, and they could not be present today. As you know, the Nebraska Insurance Federation is the state trade association of insurance companies. One of the types of insurance products provided by Nebraska insurers are pet insurance products. A number of Nebraska domestic companies, which are companies with their home license in Nebraska, write insurance, as you heard from Physicians Mutual insurance company, but others include Aflac and MetLife; some non-domestic federation companies, such as Nationwide and State Farm, also write pet insurance. And I was tempted to make people raise their hand in the audience if their company writes pet insurance, but I think we've had some people leave, so it's not as much fun.

**SLAMA:** [LAUGHTER] You've driven them away.

**ROBERT BELL:** I have. Well, you know, the real estate bill. Come on. [LAUGHTER] Just kidding, just kidding. Pet insurance has rapidly

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expanded in recent years, which in part prompted the National Association of Insurance Commissioners, or NAIC, to adopt a model law for states to consider that provides a myriad of consumer protections, including disclosures, policy conditions, sales and marketing practices, and insurance producer training. Pet insurance is a different type of product that looks and acts like a life and health policy, but is in fact a property and casualty policy due to the fact that pets are property, thus the need for additional consumer protections above and beyond those found in-- currently in the insurance code. LB296 is the NAIC pet insurance model drafted to fit within the Nebraska insurance code. I think you've-- you've heard pretty much all you can on pet insurance already so I would just ask that the committee advance LB296 for consideration by the full Legislature. And thank you for the opportunity to testify, I would say, for-- for Redford, he would-- or I would assume he's a "he."

**DUNGAN:** Correct.

**ROBERT BELL:** OK. Breed, age, preexisting condition, medical history on some policies, he may be-- they may require him to have a physical examination before in-- insuring him, so-- and these are things under LB296 that would have to be disclosed before you would purchase that particular policy, so.

**SLAMA:** Fantastic. Thank you, Mr. Bell.

**ROBERT BELL:** Yep.

**SLAMA:** Are there any questions from the committee? Sounds good. All right, thank you, Mr. Bell.

**ROBERT BELL:** OK. Yep, you're welcome.

**SLAMA:** Any additional proponents? Welcome back, Mr. Dunning.

**ERIC DUNNING:** Madam Chair, just in case you haven't heard enough about pet insurance, I'm actually here to talk more about the process and the National Association of Insurance Commissioners in general. Madam Chair and members of the Banking, Commerce and Insurance Committee, my name is Eric Dunning; for the record, that spelled E-r-i-c D-u-n-n-i-n-g. I'm the Director of Insurance, here to testify today in support of LB296. LB296 is based on the National Association of Insurance Commissioners' model law. Having the opportunity to be in



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front of you today and talk about the NAIC and its work, I think, is an important way to help kick off your first series of-- of insurance-related legislation. The NAIC is an organization of insurance directors, commissioners, and superintendents that's been in existence since 1871, and the primary purpose of the NAIC is to have the states and territories create model laws and regulation, to do its best to create a uniform regulatory environment for the business of insurance since the insurance industry is primarily and uniquely regulated by the states. Hopefully, that uniformity will allow a more streamlined compliance process and thereby achieve some economies of scale and allow people to do business efficiently and effectively on a national basis. So as part of this process, the insurance commissioners meet not only with the regulators of those products, but also with members of the insurance industry, as well as consumer advocacy groups, a number of whom are actually subsidized to attend meetings of the insurance commissioners and provide their input. All of these parties come together to discuss and often debate the formation of those models. They're carefully and thoughtfully constructed with the express purpose that we can have a work product that we would not hesitate to bring in front of you. LB296 is a product of that collaborative process and, as you've heard, that process began in 2019, and the model was adopted with input from industry, consumer representatives, producers and veterinarian groups, and was finally adopted in August. Again, the NAIC, in developing the model, recognized the need for clear rules for the sa-- sale of pet insurance because it's a property line that has many features that are in common with-- with health insurance. And so this allows sort of a clearer path forward in that space, but also allows some degree of consistency and uniformity. So thank you for the opportunity to testify in support of the bill today, and I'm happy to answer any questions that the committee may have.

**SLAMA:** Thank you very much, Mr. Dunning. Are there any questions from the committee? Seeing none, thank you very much.

**ERIC DUNNING:** Thank you.

**SLAMA:** Any additional proponent testimony? Any opponent testimony for LB296? He just hates dogs. [LAUGH] Is there any neutral testimony for LB296? Seeing none, Senator Ballard, you're welcome to close. He waives closing. We have no letters for the record for LB296, so this

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closes the hearing for LB296. We'll now move to LB92 and I will turn the Chair over to Senator Jacobson.

**JACOBSON:** OK. Thank you, Senator Slama, and I'll welcome you to the committee, to your committee, and you introduce LB292--

**SLAMA:** Thank you--

**JACOBSON:** --or LB92, excuse me.

**SLAMA:** Yes.

**JACOBSON:** LB92, for the record.

**SLAMA:** Thank you very much, Vice Chairman Jacobson, and good afternoon, members of the committee. My name is Julie Slama, J-u-l-i-e S-l-a-m-a, and I represent District 1 in southeast Nebraska. I'm here today to introduce LB92. This bill would amend Nebraska Revised Statute 44-1993, a law that identifies the duties that title insurers have when utilizing the services of title insurance agents. Currently under the statute, one of those duties is to at least annually conduct an on-site review of the underwriting claims and escrow practices of the title insurance agents that they contract with. Specifically, this bill would remove the requirement that this review be on-site. Removal of the on-site requirement recognizes the digital post-COVID environment that is becoming more common in all industries to include the title insurance industry, where remote work and inspections are more common and used as an increased cost- and time-savings measure for employers. Thank you and I look forward to your questions.

**JACOBSON:** Any questions from the committee?

**SLAMA:** Outstanding. Thank you.

**JACOBSON:** Thank you for your-- for presenting. I'd now open the floor up to any proponents for LB92. Commissioner Dunning, welcome back.

**ERIC DUNNING:** Thank you, sir. Mr. Vice Chair and members of the Banking, Commerce and Insurance Committee, my name is Eric Dunning; for the record, that's spelled E-r-i-c D-u-n-n-i-n-g. I'm the Director of Insurance, here today to testify in support of LB92. By way of beginning, I want to start by thanking Chairwoman Slama for introducing this bill at the request of the department. LB92 would

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remove the requirement for title insurers to per-- perform an on-site review of the practices of title insurance agents. In 20-- in 2020 and 2021, the department allowed for those reviews to be conducted remotely due to the COVID-19-related restrictions. What we learned is that these reviews were just as effective when performed remotely. The files that are being inspected during these reviews are being stored digitally and can be easily transmitted to the insurers for review, eliminating the need for insurers to be on site to perform the inspection. Nebraska is currently one of only four states that still requires these reviews to be performed on site, and removing the requirement for these reviews to be conducted on site would eliminate-- eliminate a needless regulatory burden for both the insurers and the insurance producers without any negative impact, we think, to the insurers. Thank you for the opportunity to testify in support of LB92 and would be happy to answer any questions that the committee may have.

**JACOBSON:** Questions from the committee for Mr. Dunning?

**DUNGAN:** Briefly.

**ERIC DUNNING:** Yes, sir.

**DUNGAN:** Thank you for bringing this. This sounds to me like a very commonsense modification. Just because I'm not as familiar with the process, would this have any effect on workforce? Would it require more or less people to do it remotely like this, or is it simply going to change where the actual review happens?

**ERIC DUNNING:** I think it's going to change where the actual review happens. Perhaps there would be fewer hours where the title insurers would be required to get on a plane, fly to Nebraska and do that sort of thing, but I don't think it would be significant overall. I don't think we'll see, you know, massive layoffs in the title insurance field as a result of the passage of this legislation.

**DUNGAN:** Thank you.

**JACOBSON:** Other questions from the committee? All right. Seeing none, thank you for your testimony.

**ERIC DUNNING:** Thank you, sir.

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**JACOBSON:** Other proponents? Mr. Bell.

**ROBERT BELL:** Greetings, Vice Chairman Jacobson, and good afternoon, members of the Banking, Commerce and Insurance Committee. I'll be brief. My name is Robert M. Bell; last name is spelled B-e-l-l. I am the executive director and registered lobbyist for the Nebraska Insurance Federation. I am here today in support of LB92. And as you know, the Nebraska Insurance Federation is the state trade association of insurance companies. LB92 would make that simple change to Nebraska Revised Statutes Section 44-1993 to change the requirement that a title insurer conduct an on-site review of underwriting claims-- of underwriting claims and escrow practices of an insurance-- of a title insurance agent. The requirement to review will remain; however, the title insurer will no longer be required to do the review on site. As you heard, and as is my understanding that this requirement was waived during the pandemic and that the Department of Insurance, while conducting a review of unnecessary guidance, found this requirement and suggested its removal from law since it's no longer needed, the Federation certainly agrees and welcomes the Department of Insurance's efforts to remove unnecessary laws and regulations. With that, I urge the committee's support of LB92, and I appreciate the opportunity to testify.

**JACOBSON:** Questions for Mr. Bell? Seeing none, thank you for your testimony.

**ROBERT BELL:** Yep. You're welcome.

**JACOBSON:** Other proponents for LB92? Anyone wishing to speak in opposition, as an opponent to LB92? Any neutral testifiers? All right, seeing none, I don't believe there were any letters for the record, so we'll close-- we'll ask Chairwoman Slama, would you like to close?

**SLAMA:** I'll waive.

**JACOBSON:** Waives close, so we'll close the hearing on LB92 and I'll turn the Chair back to Senator Slama.

**SLAMA:** Thank you very much, and that concludes today's hearings.