

2396
February 23, 1973

SPEAKER: The Chair recognizes Senator Carstens.

SENATOR CARSTENS: Mr. President I move the amendment be adopted. Mr. President I, this committee amendment on this bill, are only for the purpose to show that it shall not apply to any policy, this is an insurance, to any policy or coverage which has been in effect less than sixty days, and I think Senator Murphy who was the introducer of the bill, I believe requested this amendment, and this involves assigned risk automobile policy and I believe he is in better position to explain this than I am, pretty well.

SPEAKER: Senator Murphy.

SENATOR MURPHY: Really I'm flattered and that's not true, LB 390 picks up two bills, that were passed in the last session. In 1971 LB 481 was heard, in 1971, held over until 1972 before it was considered on the floor. Likewise in 1972, LB 1396 that was heard in the closing days related to the same thing, and it provides the number of days notice that shall be given before cancellation of an automobile policy. In LB 481, they specified thirty days, subsequently in the same session they specified twenty days, this bill brings into conformance the thirty day and twenty day to make notice concur that it is thirty days. The committee amendment simply incorporates the sixty day discovery period that is found elsewhere in the chapter into this particular paragraph. This just brings into agreement the two days of notice, twenty and thirty days. I move the bill be advanced to E&R for initial.

SPEAKER: Is there any further discussion? Is there any further discussion of the amendments to LB 390? Senator Carpenter do you want to discuss the amendments?

SENATOR CARPENTER: I'd like to ask the Senator a question?

SPEAKER: Senator Murphy will you yield to a question?

SENATOR CARPENTER: Now I don't want to get in your hair on your bill, but having had a lot of experience in buying insurance and I know it's becoming more difficult day by day to replace any kind of insurance in this category, would the Senator have any objection increasing the thirty days say to forty five days?

SENATOR MURPHY: Senator Carpenter, this bill was introduced at the request of the insurance commission, I have no particular objection to it, other than the fact that last year the two bills were passed, one with twenty day notice, one with thirty day notice, if you would care to hold it over for that consideration, I certainly have no personal objection to it.

SENATOR CARPENTER: No, I don't want to, would the Senator agree to amend it to forty five days, with the understanding when it gets on select file that if he objects I would hope, at least I would not bring any opposition to having him be able to put it back to the thirty day.

SENATOR MURPHY: I would think not Senator, the, I think any true fault could be covered under the sixty day discovery period.

SENATOR CARPENTER: Now would the Clerk prepare the amendment which changes from thirty to forty five days, he can do that and I move we adopt, we amend the Senator's amendment to increase from thirty to forty five days, with the understanding, if any one in the area that contacts him or his own opinion, if he wants to amend it back to thirty days, I will have no objections, I'll not interfere, and go along with him.