

to us. That's the bill I want to support. It's the one we should all want to support and it's doable but you can't get there from here if you use the Beyer kill motion today.

SPEAKER NICHOL: Senator Barrett, then Senator Haberman.

SENATOR BARRETT: Thank you, Mr. President and members. I rise in support of Senator Beyer's motion to kill LB 157 and in spite of Senator Landis' impassioned plea, I think the bill should meet an untimely death today just as its counterpart of last year, I believe it was 390, also met an untimely death. One of the reasons why I think this bill must be killed today is that I think it is going to have, if it passes, I think it is going to have one result and one result only and that's namely that the plaintiff's bar in this state will file more and more lawsuits and then we'll be at least tempted, tempted to delay the expeditious handling of those cases. With the overload in our courts now this bill will only increase that congestion. Under the present law I believe our interest starts at 14 percent on judgments in successful lawsuits, doesn't begin until the courts render the judgment. Now after the amendment to this bill the clock starts running 120 days after the summons is filed. Where is the fairness in that kind of a law? I fail to see it. Why should I pay interest on something that I don't even know that I owe and I won't know until the court says so? And perhaps I shouldn't know. Why should the meter start running 120 days after that summons has been filed? Where is the equity? I fail to see it. As has been mentioned, this is a number one priority of the trial attorneys. I believe it has been touched upon, but take a look at your bill book. See who testified in favor of 157. Take a good look, in spite of Senator Landis' specious argument, at who testified against the bill, not only individuals, but groups and associations. Why wouldn't the bill be a number one priority for these persons? They could receive up to one-third of the interest paid as a part of their fee. I dare say that no member of this Legislature was asked to introduce this bill, let alone encourage its passage. The purported purpose of the bill is to motivate insurance companies to settle claims faster. Senator DeCamp has already called our attention to that. It's been my experience in several years in the insurance profession that insurance companies do a very good job of settling their claims rather rapidly. In many cases it is to their advantage. Where there are delays it is because of some