

SPEAKER NICHOL: Senator Landis, would you respond, please.

SENATOR LABEDZ: If there is an appeal, does the interest go on because then the appeal could go another year or so? The reason I ask and I will go on with the story and then perhaps he can get his thoughts together. Even in my own family, there has been a death in the family. It's been over two years and still no settlement and what we have here is a wife and mother with three children waiting for a settlement. Now if the case is appealed does the interest go on on the appeal also?

SENATOR LANDIS: The statute is written now so that it would. Let me continue to say that we, as previously mentioned by another speaker, we now have postjudgment interest. That is running during the appeal process. So, yes, interest runs during appeal. That occurs under the current law. It would occur under the theory of 157.

SENATOR LABEDZ: Thank you, Senator Landis. A call was placed by my office to the Insurance Department and asked whether or not, as Senator Barrett said, that there was now in the statutes a \$50,000 penalty that could be imposed and the Insurance Department said well we'll call you back. It has now been ten or fifteen minutes and they have not called back. You would think that if there had been \$50,000 penalties assessed against any insurance company that they would know that offhand whether there has been one, two, ten or a hundred. So, so far we haven't got the reply from the Insurance Department whether there has been any penalties of \$50,000 assessed against an insurance company. Perhaps Senator Barrett would have that information, but the Insurance Department certainly did not have that information. I urge the members of this body not to kill LB 157, to think of the plaintiff, those that are waiting two and three years for a settlement. Think of their families and perhaps on Select File we can come to some agreement on LB 157, even if it is with Senator Higgins' amendment which would state that the interest money would be granted only to the plaintiff rather than to the attorney. Thank you very much.

SPEAKER NICHOL: Senator Nelson. Excuse me, Senator Nelson, a moment. Students in the south balcony, please don't lean over the edge of the rail. We don't want you to get hurt.