

specific items. Number one provides that you can provide a certificate of insurance from the insurance company as proof of insurability to the county treasurer when you are obtaining your license plates. And the second amendment provides that if the insured person is in an accident with an uninsured person and the uninsured person has no insurance, that the insured driver's insurance company cannot surcharge his insurance to cover the costs of the accident. I move the adoption of the committee amendments.

SENATOR BEUTLER: Senator Barrett.

SENATOR BARRETT: Mr. President, a question of Senator Schmit, please, if he would yield.

SENATOR BEUTLER: Senator Schmit.

SENATOR SCHMIT: Yes, Senator Barrett.

SENATOR BARRETT: Senator Schmit, the committee amendment in Section 4, if you have it with you, a question concerning...well, let me share with you I guess the last few sentences where the insurance carrier covering the insured person shall not surcharge any automobile coverages in the insured party's current policy or any subsequent renewals for any loss which was sustained by the insured and covered under that person's auto liability policy. To me that is a little bit muddy. Are we telling...are we telling the insurance companies, Senator Schmit, how to rate their policies with this amendment?

SENATOR SCHMIT: Well, that is the language, Senator Barrett, from the Department of Insurance. I am not sure how to answer your question.

SENATOR BARRETT: It is a little muddy to me. And it is an honest, serious question. I have trouble interpreting it.

SENATOR SCHMIT: Yes.

SENATOR BARRETT: If it is designed to preclude rating or surcharging by insurance companies, I take great exception to it. That is wrong. I don't think this is a legislative function.

SENATOR SCHMIT: Well, then in order to...