

of the amendment.

**PRESIDENT:** The Chair recognizes Senator Hoagland. Senator Higgins. Senator Higgins, do you wish to speak on the Landis amendment?

**SENATOR HIGGINS:** Thank you, Mr. Chairman, colleagues. I am not sure I understand Senator Landis's reasoning when he says when I spend a dollar today and a year from now you only give me a dollar I am only getting 95 cents back. Isn't it just as true that a year from now when you get your dollar back, it could be a \$1.10, if inflation goes down? I think what Senator Landis is doing is predicting that inflation is going to up and your dollar will be worth less. I, myself, am not that kind of a prognosticator. I have no idea whether inflation will go up or whether it will go down. He wants to limit the number of hard dollars that a plaintiff should recover? I think that a plaintiff should be limited to everything that is an honest dollar that he has been put out. If you wanted to do that, then, if you really wanted to make him whole, then you have got to include the other side paying the entire attorney's fees, right? Because that would be taken out of the plaintiff's pocket, 30, 33, 40 percent, whatever. But the gist of the amendment I think addresses the bill of prejudgment interest and he wants the Supreme Court's criteria to judge how long you can delay a bill or how long you can delay a claim. In my 20 years experience as an insurance agent let me tell you something, I saw more insurance adjusters delay claims than I saw lawyers. I remember one specific case where the insurance adjuster came in and sat down and talked to my insured with me and argued and argued and argued, and said, okay, let me take these figures back to my office and work them out, and then he delayed another week or ten days while he was out of town settling some other things. Then the adjuster came back and said, well, now let's see, where were we? And I said you had reached an agreement on some figures that you said you were going back to your office, add them all up, and then you know what this adjuster said? Well, I don't really have the authority to go that high. Now why didn't he say that two or three weeks before when he was in my office to the poor guy that had all these people on his neck, the hospitals, the doctors, who was without a car? Why didn't he say then, if you want over \$2,500, I don't have the authority? He wanted to delay it for the insurance companies. Now that is their first step, delay it and delay