

attempt to bracket the bill is very much like delays that defendants wrangle in court cases because it works to the advantage of the defendant to work toward a delay in bringing the plaintiff's claim to trial, because after all between the time the case should have gone to trial and the time it does go to trial a witness may die. The plaintiff may die. Other contingencies can occur and in any event the defendant continues to have the use of the money until the day of judgment. And so what we have operating here is a classic insurance company gambit. Put it over. Delay it. Stall it. Don't let it come up for a vote. Forget all the work you have done on the bill. Surely we can work things out. Buy the future. And all that really does in the end is it simply gives more time for more minds to be changed and more votes to be worked and for the bill to be defeated because that is the real gambit. The real gambit on the part of the defense industry in our state is to defeat the bill and this bill is one that should not be defeated. This bill is one that justice essentially demands. This bill is a bill that I, personally, can get worked up about because, in my view, this bill stands for the kind of things that are right about American society and the defeat of this bill would stand for the kind of things that are wrong about American society. You all have heard and have learned by now that we pay interest on contracts. You have all heard and learned by now that we pay interest on liquidated damages but what you should know is that we don't pay prejudgment interest on the loss of an arm or the loss of a leg, or the crippling of a mind, or the bending of a spine, that we don't...we don't pay prejudgment interest on those items because we claim, well, they are not liquidated, we don't know the precise amount and why should someone be stuck for interest on those items. But the real truth is we value property more dearly and more highly than the human being and the human organs and the human limbs. And as Senator Hoagland pointed out earlier, it is only right, just and proper for us to pay interest, to award interest against somebody who wrongfully has taken the arm off a laborer, somebody who has wrongfully taken the leg off the housewife. It is as just and right and proper to award interest for those kinds of injuries as it is to award interest for the embezzlement of \$100,000 when that amount is a known amount, absolutely just, right and proper. And to find otherwise, frankly, continues to elevate property and contracts and to minimize the human being, to minimize the value of the intact body. Prejudgment interest is an important issue, is