

and mandate benefits to prove why it was necessary. To do just the opposite of what Senator Chambers referred to, to indicate what public good and common good was really, in fact, necessary and, in fact, what would be accomplished by the mandated legislation. We generally struck all of that because the crux and the bottom line of this total issue is that, in fact, there are very few people left in the State of Nebraska, I mentioned all the exceptions, those on Medicare, those on Medicaid, those who are uninsured, those who are under ERISA which this Section 3 refers to, and those people who are on federally approved HMOs and others. So who is left in the state? That market already is well over 50 percent in the State of Nebraska. The only people left where you mandate a benefit, who will have to pay this additional cost and mandated to do it won't be offered the cafeteria approach of deciding what they can afford and what they want, will be, in fact, the small businessman, the farmer, and the individual who can't conform to those conditions that provide that they can be, in fact, self-insured, for example. And so when we mandate a benefit, we are fooling people into thinking that this is an industry bill. In fact it is an anticonsumer legislation when we mandate a benefit because we force a small fraction of people in the State of Nebraska to have to pay for it through their insurance knowing full well, knowing full well, and I think Senator Johnson will admit to this, that it won't apply to the majority of people, very soon the vast majority of people who can get other...who have other alternatives to health care coverage.

SENATOR SMITH: Thank you.

SENATOR V. JOHNSON: Senator Smith, it is a simple proposition. LB 895 is designed to erect 15 different hoops that any senator would have to jump before that senator could responsibly offer some additional change to health insurance coverages. If one reads LB 895 in its original pristine form, one would say how would I ever have the staff and the time to be able to develop the criteria to meet all fifteen hoops. I believe that Senator Lynch recognized the difficulty that that measure would cause. He, therefore, offered an amendment which says that no hoops will be jumped. However, any new mandated health insurance coverages must also apply to the ERISA or the self-insurance programs. As a matter of federal law, we simply as a state cannot make any mandated health insurance coverages for the