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roducing today should be adopted. Far reaching and drastic action along this line should not be imposed on agriculture by some other Department which does not have the information and the expertise in reference thereto.

NATIONAL NO-FAULT MOTOR VEHICLE INSURANCE ACT—AMENDMENTS

AMENDMENTS NOS. 1351, 1352, AND 1353

(Ordered to be printed and to lie on the table.)

Mr. MONDALE. Mr. President, today I send to the desk three amendments which I intend to offer to S. 945, the National No-Fault Motor Vehicle Insurance Act.

The first of these amendments would change portions of section 104, 105, and 106 to offer greater protection to no-fault policyholders when pressing claims for payment against insurance companies. As currently written, the bill mandates interest payments by insurance companies at rates ranging from 12 to 24 percent if claims are unpaid after the company has reasonable proof of the fact and amount of the claim. However, these interest payments are only required for what the bill defines as "net basic economic loss"—which, in general, covers the area of medical bills, occupational therapy and wage loss payments.

The amendment which I intend to offer would require insurance companies to also make these interest payments for contested claims under optional coverages which, under this legislation, must be offered by these companies—generally, covering damage to the insured vehicle and tangible damage coverage in excess of net basic economic loss.

By so extending these payments, this amendment would attempt to insure prompt payment of legitimate claims by insurance companies, especially in the area of damage to the insured motor vehicle, where current insurance company policy often does not make payment to the insured as quickly as equity demands.

This amendment would also change section 105 in two significant ways. As currently written, this section permits courts to award attorneys fees and all reasonable costs to policyholders who sue to recover payments from insurance companies, where the insurance company denies the claim, unless the court adjudges such claims to be "fraudulent, excessive, or frivolous."

My amendment would require court award of these attorneys fees and costs and would change the word "excessive" to read "so excessive as to have no reasonable foundation." The latter change conforms to language contained in section 24 of the Uniform Motor Vehicle Accident Reparations Act, as drafted by the National Conference of Commissioners on Uniform State Laws.

These two changes, when taken in combination, will afford substantial additional protection to the consumer-policyholder. He will be assured of having the ability to press his claim without fear of having to absorb lawyers' costs out of his own pocket. This will in turn

mean that claims made by policyholders are pursued with vigor by the injured or damaged party.

Most importantly, this amendment will substantially broaden access to lawyers under a no-fault system, and will insure that the legal profession will have a meaningful role to play in gaining just compensation for consumers under a no-fault system.

The second amendment which I intend to offer would change the current language of section 203(b) to insure meaningful wage loss payments under State no-fault plans.

As currently drafted, the bill sets no minimum or maximum for monthly payments for lost wages under State plans. My amendment would set effective maximums for these payments, using \$1,000 per month as the base figure, and modifying this amount in accordance with the relationship between the per capita income in a particular State and the National per capita average income. States would still be able to set maximums above this figure.

This change will insure that States do not set maximums so low that effective wage loss protection is of little value to the majority of residents in the various States, while taking into account varying income levels in the 50 States.

This amendment would also insure that below the maximum so set, every wage earner will collect 100 percent of his lost wages on a weekly basis, a protection not currently offered by the bill.

The third amendment I intend to offer would provide that no State could set the minimum limit for no-fault protection for lost wage payments at a level less than two-thirds of the total minimum amount required for all amounts under section 203(b) (3), (4), and (5). This will afford an adequate level of protection for all seriously injured wage earners under plans adopted by the States under title II.

Mr. President, I ask unanimous consent that the text of these amendments be printed at the conclusion of my remarks.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1351

On page 35, on line 10, after "loss" insert the following: "and payments under optional coverages"

On page 39, line 1: strike out "may", and insert in lieu thereof, "shall".

On page 39, line 6: strike out "excessive," and insert in lieu thereof: "so excessive as to have no reasonable foundation."

On page 39, line 14: strike out "excessive," and insert in lieu thereof: "so excessive as to have no reasonable foundation."

AMENDMENT No. 1352

On page 58, strike out all on line 9 through 12 and insert in lieu thereof:

"(A) all monthly earnings, for the period during which the injury results in the inability to engage in available and appropriate gainful activity, up to at least a monthly amount equal to \$1,000 times a fraction whose numerator is the average per capita income in the state and whose denominator is the average per capita income in the nation, according to the latest available Department of Commerce figures; or"

AMENDMENT No. 1353

On page 59, line 2: after "\$75,000" insert a comma, and the following: "of which not less than $\frac{2}{3}$ shall be allocated for monthly earnings provided for in Paragraph (3) (A) ;"

CERTAIN MARITIME PROGRAM AUTHORIZATIONS, 1973—AMENDMENT

AMENDMENT NO. 1355

(Ordered to be printed and to lie on the table.)

Mr. SPARKMAN (for himself and Mr. ALLEN) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 13324) to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

AMENDMENT NO. 1358

(Ordered to be printed and to lie on the table.)

Mr. CRANSTON (for himself and Mr. TUNNEY) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 13324), supra.

FEDERAL REVENUE-SHARING—AMENDMENT

AMENDMENT NO. 1357

(Ordered to be printed and referred to the Committee on Finance.)

Mr. METCALF (for himself, Mr. MANSFIELD, Mr. JACKSON, Mr. BURDICK, Mr. HARRIS, Mr. HUMPHREY, Mr. GRAVEL, and Mr. KENNEDY) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes.

NATIONAL SCHOOL LUNCH ACT—AMENDMENT

AMENDMENT NO. 1359

(Ordered to be printed and referred to the Committee on Agriculture and Forestry.)

1972 SCHOOL LUNCH AND INFANT FEEDING LEGISLATION

Mr. HUMPHREY. Mr. President, yesterday I indicated that I would be introducing an amended version of my bill, S. 3691 to provide for needed improvements in the House-passed school lunch bill sponsored by Congressman CARL D. PERKINS and ALBERT H. QUIE, H.R. 14896. Today I wish to offer that amendment, in the form of a substitute, to S. 3691.

This amended version of S. 3691 would provide for the following:

First, authorization for an additional \$25 million for summer food service programs for children for fiscal years 1972 and 1973. This would increase the total authorization for these programs to \$50 million, the amount requested by the President at the urging of our Nation's mayors and the Congress. This particular provision is the same as provided in S. 3691 as originally introduced and is the same as provided in H.R. 14896 as passed by the House;