

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

May 19, 1999

LB 661

bill that you should make. With that, I'd be happy to answer any questions. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Kristensen. Senator Brashear, your light is on. I understand you wish to close.

SENATOR BRASHEAR: Thank you, Mr. Chairman, members of the body. Yes, again I would urge the adoption of the committee amendments. I would, because we're sparse in number and may assemble quickly, I want to remind everyone that Senator Kristensen has indicated his support of the committee amendments. The committee amendments constitute a narrowing of the protections afforded or sought by the original bill. I think the narrowing is appropriate. It was the, at least the consensus thought of your Judiciary Committee that we ought to be protecting and limiting the damages that could come from political...from the state and political subdivisions because we, the people, the taxpaying public would have to satisfy those damage awards anyway. So that was the kind of general overriding thought with regard to the political subdivisions. The questions that Senator Beutler asked with regard to why only federally regulated financial institutions were involved, I will tell you those questions came up many times by members of the Judiciary Committee. The general overall thought was we ought to include everybody or nobody. And as I've privately advised Senator Beutler, the fact is that the financial institutions are the people who have most been required by law to expend money to protect against the Y2K failure and others are playing the game strategically, either wanting to be plaintiffs if there is a problem or whatever; but other parties did not want to get involved. And the financial institutions were very forthcoming in indicating that they simply wanted, because they were complying with federal law which had been superior in this instance and they were required to comply with it and they were required to get the ratings that if they got the ratings then they were asking for the protection. And I don't think the protection that they're being afforded is all that they wanted or too narrowly circumscribed. I would urge the adoption of the committee amendments. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. You've heard the closing on the committee amendments to LB 661. The question