

say I won't. I am not going to bother with the constitutionality of that provision and in some respects I don't need to because with my amendment which is a fairly restrictive amendment, I don't think we will find major growth problems in the existing large banks, but we will provide a very moderate way of moving into multibanking and moving into branching in the State of Nebraska. I ask you to adopt the amendment.

SPEAKER MARVEL: The motion is the adoption of the Johnson amendment. All those in favor vote aye, all opposed vote no. Have you all voted? Senator Johnson. A record vote has been requested. Okay, record the vote.

CLERK: (Read record vote as found on page 2205 of the Legislative Journal.) 14 ayes, 31 nays, Mr. President.

SPEAKER MARVEL: The motion lost.

CLERK: Mr. President, I have nothing further on the bill.

SPEAKER MARVEL: The motion... Senator DeCamp.

SENATOR DeCAMP: Mr. President, I would move the bill be advanced and I would yield my opening time on that particular statement to Senator Hoagland.

SPEAKER MARVEL: The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: Colleagues, there are just a couple of items I would like to touch on very briefly. I hope I have time to handle them both thoroughly. The first thing I want to do is just make a couple of responses for the record regarding the constitutional issue that Senator Johnson raised yesterday and alluded to again today and then tell briefly a story about why I have come to hold a different position on this bill than I held two years ago. Now Senator Johnson, you will recall, yesterday raised the issue of whether it was constitutional to permit a bank corporation which is an out of state multibank holding company corporation that has been in Nebraska since the early depression years, in 1930, to be included in this bill while other out of state bank corporations which have never been in Nebraska are not being included. Now I think there are a lot of good legitimate legislative reasons for drawing a distinction between Banco, which as I indicated has been in Nebraska since 1930 when they came in during the depression years. It has owned a number of banks from 1930 to the present and has had a very beneficial effect on the economy of the State of Nebraska. Now the bill as is currently written allows out of state bank holding companies which owned at least two banks in Nebraska on December 31, 1978, to acquire additional banks in Nebraska subject to the restrictions of the bill and Northwest Bancorporation was the only out of state