

February 21, 1996 LB 973, 1028

corporation's going to...or any nonprofit's even going to want a donation of Berkshire Hathaway, which doesn't declare dividends, and simply appreciates, if there is no ability to access that appreciation. If they can't sell the stock and they don't get dividends, why would they want it? What this does is says you can recognize that appreciation. They can either sell the stock and actually have the cash, in which case they no longer have the stock, or else they can hold on to the stock and use that, subject to the business care and prudent standards, that they can use that appreciation. So I think it's...without this, what they would be required to do is to sell that stock rather than to hang on to it, which as you expressed might be the intention of the donor. They don't have that alternative.

SENATOR BEUTLER: Yeah, okay, more for later. Thank you.

SENATOR CROSBY: Further discussion? Seeing none, Senator Lindsay, to close.

SENATOR LINDSAY: Waive.

SENATOR CROSBY: He waives closing. The question is the advancement to E & R Initial of LB 973. All in favor vote aye, opposed no. We're voting on LB 973. Have you all voted? Record please.

ASSISTANT CLERK: 28 ayes, 0 nays on the motion to advance the bill, Madam President.

SENATOR CROSBY: LB 973 advances. LB 1028.

ASSISTANT CLERK: Legislative Bill 1028 was introduced by Senator Landis. (Read title.) The bill was read for the first time on January 4 of this year. It was referred to the Banking Committee. They report the bill to General File with no committee amendments, Madam President.

SENATOR CROSBY: Senator Landis.

SENATOR LANDIS: Thank you, Madam President and members of the Legislature. This bill is the uniform provisions on letters of credit that are now in our Uniform Commercial Code as Article 5. We adopted Article 5 forty years ago at a time in which electronic transfer of funds was impossible, so that our letters