

February 26, 1996 LB 681

pointing out that there needs to be a precise line in there. There are some general debts. When he and I, let's say we're in the tax preparer business, and we've got secretaries to pay, and computers that we've bought, all those things, general obligations, yes, we're liable for, no way you can get out of that.

SENATOR MATZKE: But if it, and using your terminology, if it's a mistake, but it is merely a mistake in business judgment in investment, say you're in a merchandising business and you and I are partners and I decide to buy some merchandise and it falls in price, or it doesn't sell, that is a mistake of judgment, but you are not...you do not escape liability for that, unless it rises to the level of negligence or wrongful act, is that correct?

SENATOR KRISTENSEN: Or intentional act, correct.

SENATOR MATZKE: All right, I just wanted to clarify that.

PRESIDENT ROBAK: Thank you, Senator. Senator Fisher.

SENATOR FISHER: Madam President, members, I rise in support of LB 681. We hear a lot about incentives to create business, new business in Nebraska, development of that business. One of the fastest growing business developments is the small business sector of our economy. And I think we've heard time and time again that small business still continues to hire more people than any other segment of our business world, it's very important. This is a very simple approach to enter in. Take the instance of an individual that has a great idea, little money, he can then join with an individual that has the money and the interest to support such a development. It's a very good vehicle, I think it's very good for Nebraska. It sets the stage and tone that we can too be competitive with our neighboring states, which I understand also already have this form of legislation. But I think it's important we think about it more. I think we've got pretty much to the meat of this particular legislation, the liability. Senator Kristensen and Senator Landis have all done a good job explaining it. I'm sure there are perhaps more figures...or questions about it. And it's important that we discuss it. But I'm convinced it's good for Nebraska and it's good for our local communities, it gives us another opportunity to develop business, which is very, very