

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

April 28, 2003      LB 156

disclosure is made pursuant to a subpoena issued by a state governmental agency exercising investigatory or adjudicative functions within its jurisdiction. Or if the production of records is pursuant to a written demand of the tax commissioner under Section 77-375. That also is current law. Next, if there is first presented to such business or financial institution a subpoena, summons, or warrant issued by a court of competent jurisdiction. Next, a statute or rules and regulations adopted and promulgated under the...under that statute requires the disclosure other than by subpoena, summons, warrant, or court order. An example of that would be a garnishment on a bank or something of that nature. If there is presented to such business or financial institution a court order setting forth the nature and the limits of the disclosure, and showing that all businesses or financial institutions to be affected have had notice and opportunity to be heard. That, again, is just a recitation, or reflects current law. Finally, the records can be disclosed if there is first presented to the business or financial institution the written permission of the customer of those disclosures. Following the committee hearing on LB 156, the Nebraska Bankers Association and other interested parties worked closely with the county attorneys and representatives of state agencies, including the Department of Revenue, to try to basically mitigate and get rid of that fairly nasty fiscal note on the bill. The amendment will clear up the fiscal note. The amendment and the bill did come out of committee 8-0, and I would urge the adoption of AM0762 to LB 156.

SENATOR CUDABACK: Thank you, Senator Quandahl. You've heard the opening on the committee amendments offered by the Banking, Commerce, and Insurance Committee. Mr. Clerk, item.

CLERK: Mr. President, Senator Beutler would move to amend the committee amendments, AM1572.

SENATOR CUDABACK: Senator Beutler, you're recognized to open on your amendment, AM1572, to the committee amendments to LB 156.

SENATOR BEUTLER: Senator Cudaback, I would withdraw AM1572 and AM1571, and I'd like to take up AM1573. (Legislative Journal page 1494.)