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

February 1, 2005 LB 52, 222

Legislature would expect the Public Service Commission will examine the background requirements for other laws and waive separate background checks only when licensure for other laws also meets the warehouse license agreements or requirements. The background check for a liquor control license is more thorough in a criminal history check for, which includes felony financial crimes among other things, and if a candidate meets the standards of a liquor license, they would also meet the standards of the warehouse license. Thus, if a new manager is taking over a co-op and operates both a warehouse and a liquor retail outlet, successfully obtaining a liquor license would be evidence that that applicant would also meet the warehouse licensure requirements as well. So, LB 52 is portions of LB 222 that actually, I believe, accomplishes the goal that Senator Fischer set out to accomplish, while still preserving the opportunity of the Public Service Commission to ensure that the individuals have current information presented to them to ensure that they are within the needs of the licensure requirement. I would encourage your support of amendment...of the committee amendment, AM0021, and also your support of LB 52 for advancement to General File. And I will do my best to answer any questions you may have on either the committee amendment, I believe Senator Fischer would be available as well, or on the underlying bill. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. You've heard the opening on the committee amendments to LB 52. Open for discussion on those amendments. Senator Fischer, you're recognized to speak.

SENATOR FISCHER: Mr. President, in regard to the committee amendment, AM0021, it is essentially attached as a modified version of LB 222, which I introduced and which was also heard in the Agriculture Committee. The amendment seeks to remove the requirement of fingerprinting criminal history checks for applicants seeking a grain warehouse or a grain dealers license under the Nebraska Grain Warehouse Act or Nebraska Grain Dealer Act. Prior to LB 735, which was passed in 2003, there was no requirement for a criminal history check for grain warehouse and grain dealer license applicants. As a result of LB 735, the grain warehouse and dealer owners and managers are required to