

January 19, 1989

LB 94, 247, 570, 576, 683-808

as yet, please contact Joanne immediately. If you don't have the bill that you are expecting, please contact the Bill Drafters Office immediately. Mr. Clerk.

CLERK: Mr. President, for the record, I have received a reference report referring LBs 496-599 including resolutions 8-12, all of which are constitutional amendments.

Mr. President, your Committee on Banking, Commerce and Insurance to whom we referred LB 94 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with amendments attached. (See pages 320-21 of the Legislative Journal.)

Mr. President, I have hearing notices from the Judiciary Committee signed by Senator Chizek as Chair, and a second hearing notice from Judiciary as well as a third hearing notice from Judiciary, all signed by Senator Chizek.

Mr. President, new bills. (Read LBs 683-726 by title for the first time. See pages 321-30 of the Legislative Journal.)

Mr. President, a request to add names, Senator Korshoj to LB 570, Senator Smith to LB 576, Senator Baack to 570 and Senator Barrett to LB 247.

SPEAKER BARRETT: Stand at ease.

EASE

SPEAKER BARRETT: More bills, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 727-776 by title for the first time. See pages 331-42 of the Legislative Journal.)

EASE

SPEAKER BARRETT: More bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 777-808 by title for the first time. See pages 343-50 of the Legislative Journal.)

CLERK: Mr. President, I have reports. Your Committee on

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LB 49A, 77, 161, 162, 183, 215, 226A
258, 272, 279, 319, 325, 335A, 357
377, 415, 431, 468, 477, 498, 537
539, 541, 568, 569, 572, 575, 586
591, 628, 630, 633, 646, 660, 662
671, 678, 714, 720, 747, 766

LB 335A for the first time by title. That is offered by Senator Korshoj. Read LB 49A for the first time by title. Read LB 226A for the first time by title. See pages 1100-01 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 415 to General File with amendments, signed by Senator Coordsen as Chair of the committee. General Affairs reports LB 477 indefinitely postponed, LB 568 indefinitely postponed, LB 572 indefinitely postponed, LB 660 indefinitely postponed, LB 766 indefinitely postponed. Those are signed by Senator Smith as Chair. Urban Affairs reports LB 498 as indefinitely postponed, LB 633 indefinitely postponed, LB 671 indefinitely postponed. Those are signed by Senator Hartnett. (See page 1101 of the Legislative Journal.)

I have amendments to be printed, Senator Wesely to LB 279; and Senator Schellpeper to LB 357. Mr. President, Health and Human Services Committee reports LB 537 to General File with amendments, LB 645 to General File with amendments, LB 662 to General File with amendments, and LB 539 indefinitely postponed, those signed by Senator Wesely as Chair. (See pages 1102-07 of the Legislative Journal.)

Mr. President, priority bill designations; Senator Morrissey selects LB 569; Senator Kristensen, LB 586, Senator Chizek, LB 747 as his personal priority bill, and LB 215 and LB 377 as Judiciary Committee priorities; Senator Warner has LB 468 and LB 258 by Appropriations Committee; Banking, Commerce and Insurance offers LB 319 and LB 272 as priority bills; Senator Barrett has LB 575 as his personal priority bill; Senator Warner, LB 77 as his personal priority bill; Senator Coordsen offers LB 541 and LB 630 as Business and Labor priority bills; Senator Goodrich has selected LB 591 as his priority bill; Senator Rod Johnson has selected LB 161 and LB 162 as committee priority bills, and LR 2CA as his personal priority resolution; Senator Wesely selects LB 431 as his personal priority bill, and LB 678 and LB 720 as Health and Human Services priorities; Senator Hefner selects LB 325 as his personal priority bill; Senator Lowell Johnson selects LB 646 as his personal priority bill; Senator Robak, LB 628 as her priority bill; and Senator Conway, LB 714 as his priority bill.

And Senator Baack, Mr. President, has amendments to be printed to LB 183. (See pages 1109-10 of the Legislative Journal.) And

attempt to change our service contract statute to (a) make it a lower level, a more possible level for people to comply with, while at the same time bringing people back in that have been exempted. At this point, though, it probably makes sense, at least for the interim, to go ahead and allow this particular service contract for the utilities that are selling, it's one that has not been regulated in the past, is not currently being regulated. Passage of the Landis amendment without the Withem amendment to the amendment will basically maintain the status quo as we're doing the study. So I will be withdrawing my amendment to the amendment and will be supporting of the Landis amendment, with the understanding that we're going to do a very serious look at the way in which we regulate service...individuals who sell service contracts. With that, I would withdraw my amendment.

SPEAKER BARRETT: Thank you. The Withem amendment is withdrawn. Back to the amendment.

SENATOR LANDIS: Thank you, Mr. Speaker. I will briefly recharacterize, for the body, the amendment and then we'll be able to proceed. Let me, by the way, acknowledge that the Banking Committee has already prioritized our studies, and that the service contract study is one of the two or three top priorities for us this year. A service contract is where you make a prepayment for service. It is regulated. We're making another exemption, which we have a number of in our statutes, in this case for home appliance service by natural gas industries and utilities which are regulated. The reason being, there is a presence in the state sufficient to assure a consumer of an adequate remedy, and somebody to sue, if the contract goes bad. And, for that reason, I would urge the adoption of the amendment. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the second part of the divided question. Senator Warner, would you care to discuss it, the Landis amendment? Thank you. Senator Abboud. Thank you. Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker, members of the body, I brought this bill to the Banking and Insurance Committee this year, LB 766 was advanced out of committee. And I think it just adds, as Senator Withem and Senator Landis have said before, adds the issuance of service contracts by heating and cooling systems, electrical companies. So it simply...and I think Senator Withem