

January 10, 1989

LB 313-323  
LR 5

Executive Board, Room 2102 for purposes of referencing, right now.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: More bill introductions.

CLERK: Mr. President, new bills. (Read LB 313-322 by title for the first time. See pages 167-69 of the Legislative Journal.)

Mr. President, in addition to those items, I have a Reference Report referring LB 238 through 279.

Mr. President, new resolution. (Read LR 5 for the first time. See pages 171-73 of the Legislative Journal.) Mr. President, that resolution will be laid over.

Mr. President, I have one last bill. (Read LB 323 by title for the first time. See page 173 of the Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk. The Chair recognizes Senator Crosby.

SENATOR CROSBY: Mr. Chairman, there being no further business to come before this body at this time, I respectfully move that we adjourn until Wednesday morning, January 11th at nine o'clock. Thank you.

SPEAKER BARRETT: Thank you, Senator Crosby. You've heard the motion to adjourn. Those in favor say aye. Opposed no. Ayes have it, motion carried, we are adjourned.

Proofed by: Arleen McCrory  
Arleen McCrory

March 1, 1989

LB 54, 162, 319, 380, 381, 423, 467  
476, 562, 574, 589, 651, 759  
LR 14

new bills. That will be laid over.

Education Committee reports LB 562 to General File with amendments attached. That is signed by Senator Withem. (See page 927 of the Legislative Journal.)

Agriculture Committee reports LB 162 to General File, LB 381 General File, LB 574 General File, LB 54 General File with amendments, LB 589 indefinitely postponed, LR 14CA indefinitely postponed, those all signed by Senator Johnson as Chair. (See pages 930-33 of the Legislative Journal.)

Banking Committee reports LB 423 to General File, LB 380 to General File with amendments, LB 467 indefinitely postponed, LB 476 indefinitely postponed, LB 759 indefinitely postponed, those signed by Senator Landis. (See pages 933-34 of the Legislative Journal.)

Education reports LB 651 to General File with amendments, signed by Senator Withem and Banking reports LB 319 to General File with amendments. That is signed by Senator Landis. (See page 935 of the Legislative Journal.) I believe that is all that I have, Mr. President.

PRESIDENT: Senator Chambers, you have an amendment coming up. Do you wish to take that up now, or... Okay, Senator Bernard-Stevens, you have one. Do you want to try that now? We're getting close to the end of time. What do you think?

SENATOR BERNARD-STEVENS: We're going to pick it up just for a couple of minutes here.

PRESIDENT: All right, go ahead. Mr. Clerk.

CLERK: Mr. President, Senator Bernard-Stevens would move to amend the bill.

SENATOR BERNARD-STEVENS: Mr. Speaker, or, Mr. President, what I'm going to do is I wanted to briefly explain what the bill (sic) is, and then I'm going to withdraw it because I do believe we can get a vote on the bill at this particular time and I'd hate for us to have this good discussion and not have the bill advance, and I'm hoping the bill will advance. What I'll be offering on Select File is an amendment, is this particular amendment that will put in a mechanism and a procedure in place

March 29, 1989

LB 262, 319

SENATOR HALL: Madam Chair, I would just move that LB 262 be advanced to E & R Initial as amended. Thank you.

SENATOR LABEDZ: We're voting on the advancement of LB 262 to E & R Initial. All those in favor vote aye, opposed nay. Have you all voted?

SENATOR HALL: Madam President, just to expedite things, I think I would ask for a call of the house and accept call in votes.

SENATOR LABEDZ: Request has been made for a call of the house. The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record the vote, Mr. Clerk.

CLERK: 28 ayes, 1 nay to go under call, Madam President.

SENATOR LABEDZ: The house is under call. Senators, please record your presence. All unauthorized personnel leave the floor. The house is under call. Please record your presence. We're voting on the advancement to E & R Initial and Senator Hall has requested call ins. Senator Moore, would you record your presence. Senator Smith, Senator Ashford, record your presence. Senator Barrett, the house is under call. Senator Peterson, record your presence, please.

SENATOR HALL: Well, we can go ahead and proceed.

SENATOR LABEDZ: Proceed, Mr. Clerk.

CLERK: (Roll call vote taken. See page 1382 of the Legislative Journal.) 25 ayes, 20 nays, Mr. President.

SENATOR LABEDZ: LB 262 is advanced to E & R Initial. Mr. Clerk, LB 447.

CLERK: Madam President, may I read some items for the record?

SENATOR LABEDZ: Proceed, Mr. Clerk.

CLERK: Madam President,...

SENATOR LABEDZ: Call is raised.

CLERK: Senator Landis would like to print amendments to LB 319;

April 3, 1989

LB 162, 162A, 319

it is my hope that we can push it across to Final and then, along with the other A bills that are being proposed, we can discuss whether this happens to fit in the budget this year. I think it does. I'd like to see it passed, so I would urge the body to advance the bill.

SPEAKER BARRETT: Thank you. The question is the advancement of LB 162 to E & R. All in favor vote aye, opposed nay. Shall LB 162 be advanced? Record.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 162.

SPEAKER BARRETT: LB 162 is advanced. The A bill, Mr. Clerk.

CLERK: LB 162A, Mr. President, by Senator Johnson appropriates fund; to implement the provisions of LB 162.

SPEAKER BARRETT: Senator Johnson.

SENATOR R. JOHNSON: Mr. President, I would simply move the A bill. The authorizing legislation has just been advanced and, as I said, this bill, I'm sure this A bill will take its place with the others for further discussion at a later time. Thank you.

SPEAKER BARRETT: Thank you. Any discussion? If not, shall LB 162A be advanced? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 162A.

SPEAKER BARRETT: The A bill is advanced. Mr. Clerk, one more bill, LB 319.

CLERK: Mr. President, 319 was a bill introduced by the Banking Committee. (Title read.) It was introduced on January 10 of this year, referred to Banking Committee, advanced to General File. I have committee amendments pending by the Banking Committee, Mr. President.

SPEAKER BARRETT: Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the

Legislature, this is a priority bill for the Banking, Commerce and Insurance Committee and probably the remaining priority for the Insurance Department. The bill deals with the liquidation of insolvent insurance companies. Presently, we're existing, we're operating under about two sections of law that are about 60 years old, but because all insurance companies have to get their approval from the department, all agents have to get their approval from the department, nobody contests the department when it acts basically without legislative direction in the handling of insolvent companies. As part of the insurance task force of this last summer, everyone agreed we needed to adopt one of the model bills and there is one by the National Association of Insurance Commissioners. LB 319 is basically that model NAIC bill for how Department of Insurance regulates an impaired company, regulates a liquidated...or liquidates a company and takes the process of a company that is impaired and resuscitates it or liquidates it. These amendments are necessary because the model act that we drew from needed to have some meshing amendments to existing state law, and here are the three things that the committee amendments do. First, it makes clear that the bill would apply to HMOs, Legal Service Insurance Corporations, service companies regulated by the Department of Insurance, Prepaid Dental Service Corporations and the like. Secondly, it clarifies that unearned premiums in the hands of an agent at the time of an insolvency will be returned to the policyholder. Third, it makes clear that unclaimed funds in the hands of the liquidator, that's the department, at the time that the liquidator is charged by the court to do its duty, shall be handled pursuant to our existing laws on unclaimed property. I would urge for the adoption of the committee amendments that have been printed in the Journal. Thank you.

SPEAKER BARRETT: Any discussion? If not, the question is the adoption of the committee amendments. Those in favor vote aye, opposed nay. Record.

CLERK: 25 ayes, 0 nays on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted.

CLERK: Senator Landis would move to amend the bill, Mr. President.

SPEAKER BARRETT: Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I'm sorry, when I previously indicated the amendment, I'm sorry, I just explained this amendment, I believe. Let me see if I have the number right. This is 1071, Mr. Clerk?

CLERK: It's the one I have in front of me now, Senator, yes.

SENATOR LANDIS: That's right. The explanation that I just gave relates to this amendment. The committee amendments (laughter), yeah, what we adopted before was the committee amendments. The committee amendments are actually the bill itself in a, I think I've got that right, in a...no, I'm sorry. The committee amendments said this, and it's consistent with what we just did, it made it clear that if an agent was holding an unearned premium, that is to say a premium dollar for which no insurance coverage had been given at that point, those dollars would be returned to ratepayers. If an agent was holding premium dollars that a ratepayer had paid, but had not been forwarded on to the company but the company had given insurance service, that money goes to the insurance company and is dealt with as an asset of the company for the purposes of liquidation. Let me apologize to the body, those two ideas are similar. The second one is just a slight redrafting of the same idea, plus the other ideas that I explained and that is the relationship of this language to HMOs, Legal Service Insurance Companies and the relationship of this act to our unclaimed property act, harmonizing that unclaimed property that an insurance company might hold and turn over to the department would then funnel its way through our existing unclaimed property act. I'm sorry to ask this done a second time, but, in fact, what we voted on before I previously explained, but I explained more than that. This amendment has the other two ideas, the linkage to HMOs and the unclaimed property. I would urge the adoption of this amendment. My apologies.

SPEAKER BARRETT: Thank you. Discussion? Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker. I just rise in support of the amendment and commend Senator Landis for his excellent work on this bill.

SPEAKER BARRETT: Thank you. Anything else? If not, shall the amendment offered by Senator Landis be adopted? Those in favor vote aye, opposed nay. Please vote if you'd care to vote. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Landis's amendment.

SPEAKER BARRETT: The amendment is adopted. Senator Landis, to the bill as amended.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, if you think of the statute books as an instruction guide, something that you open to find out how to do something, the statutes are woefully inadequate, both as far as the Insurance Department is concerned, insurance agents are concerned and insurance companies are concerned in the area of liquidation. There are only a couple of sections on the book. They are very old and they grant a lot of authority to the department but with no indication as to when the definition of an impaired company comes into play, what procedures the department will use. Basically, everybody has said to themselves in decades past, well, it's best that we clean up these messes and we're not going to contest the fact, but the department has been working in blue sky as far as methods that it should follow. LB 319 is a clear rule book to look into, both for the department and insurance agents and insurance companies. It provides for the powers of a liquidator. It provides for definitions for an impaired company. It tells insurance agents what their obligations are during that time. It tells the department its steps that it needs to go through before it goes to court. It tells the court what its standards are. The model language is meant basically to give to the department a clear set of instructions on how and when to liquidate an impaired insurance company, the powers it has, the hearing process it must use, the rights of insurance agents, the rights of insurance companies under these rules and provisions then for this system to link up with the court system should, for some reason, a court challenge be necessary. I would move for the adoption of the bill and its advancement to Select File. Let me point out, by the way, on the committee statement you'll see that the insurance agents are in support, the American Insurance Association is and that this is a critical measure as far as the department is concerned. Bob Lange testified as general counsel in support of the bill. It is a committee priority for BCI this year. Thank you.

SPEAKER BARRETT: Thank you. Discussion. Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker. Senator Landis, would you yield? I noted on page 15 that we have added a Class I misdemeanor for the person who fails to cooperate with the director or obstructs or interferes. Is that the first time that we've added a criminal penalty for these kinds of actions?

SENATOR LANDIS: Certainly in the area of liquidation. Our statutes are very sketchy and what hammer there has been in the past has been basically that the department can jerk anybody's license that they need to, if it's an agent or if it's a company to do business and nobody has ever messed with the department in this area.

SENATOR PIRSCH: And it was felt this was maybe needed as a deterrent or a tool to...

SENATOR LANDIS: Well, I'll tell you that fraud is a very real possibility, the squirreling away of assets, insider transactions, hiding of records, so, yes, the model legislation that the National Association of Insurance Commissioners indicates has this provision in it and that is why it appears here in our copy as well.

SENATOR PIRSCH: And the rest, of course, when it goes on to talk about embezzlement and fraud and all those other things, would be handled under present statutory...

SENATOR LANDIS: Yes, if there is, in fact, embezzlement or the like, there are criminal statutes available for relief there.

SENATOR PIRSCH: But this was needed specifically for that purpose...

SENATOR LANDIS: Yeah, I think the...

SENATOR PIRSCH: ...for the cooperation.

SENATOR LANDIS: ...although in no part did the hearing relate to this rationale, you do have the prospect of somebody not cooperating with the department and not only not cooperating, but hiding information, destroying records, shredding information, if that was to occur, that may not be embezzlement, you may not be hiding money but you could, in fact, be defeating the process of an orderly liquidation. That is why it's here.



April 3, 1989

LB 147, 279, 281, 319, 340, 340A, 410  
414, 587, 588, 733

SENATOR PIRSCH: And under the present law that...you could do nothing really.

SENATOR LANDIS: That is not embezzlement, that's right. Embezzlement is where you steal money from the firm.

SENATOR PIRSCH: Right. Thank you, I appreciate the explanation...

SENATOR LANDIS: Sure, you bet.

SENATOR PIRSCH: ...and I support this bill.

SPEAKER BARRETT: Thank you. Any other discussion? Seeing none, Senator Landis, anything further?

SENATOR LANDIS: Waive closing.

SPEAKER BARRETT: Thank you. Closing is waived and the question is the advancement of LB 319 to E & R. All in favor vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays on the advancement of 319, Mr. President.

SPEAKER BARRETT: LB 319 is advanced. Any messages on the President's desk?

CLERK: Yes, Mr. President, I do. Senator Hartnett has amendments to be printed to LB 588, Senator Chizek to LB 279, Senator Chambers to LB 281, Senator Landis to LB 279. (See pages 1462-64 of the Legislative Journal.)

Enrollment and Review reports LB 147, LB 340, LB 340A, LB 410, LB 414, LB 587 and LB 733 as correctly engrossed. (See page 1457 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Peterson, would you care to adjourn us until tomorrow?

SENATOR PETERSON: Mr. President and members, I'd be delighted to adjourn us till tomorrow morning at ten o'clock, is that, Senator Barrett, beings we lost an hour?

April 10, 1989

LB 84, 319, 541, 611, 630, 640, 646  
651, 653, 653A, 705, 710, 762, 811  
812

now and Select File. I will try and answer your questions, but now I just ask that we advance the bill.

SPEAKER BARRETT: The question is the advancement of LB 611 to E & R Initial. All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 36 ayes, 1 nay, Mr. President, on the advancement of LB 611.

SPEAKER BARRETT: LB 611 is advanced. Anything to read in, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review reports LB 319 to Select File with E & Rs, LB 640, LB 651, LB 541, LB 653, LB 653A, LB 630, LB 811, LB 812, LB 710, and, LB 646, all to Select File, some have E & R amendments attached. (See pages 1615-22 of the Legislative Journal.)


Senator Conway has amendments to LB 84 to be printed; Senator Hall to LB 762. Senator Abboud would like to add his name to LB 705 as co-introducer. (See pages 1622-28 of the Legislative Journal.) Mr. President, that is all that I have.

SPEAKER BARRETT: Thank you, and the Chair would like to remind members of the briefing on the pharmacy school to be held at this hour in Room 1019. Senator Chizek, please.

SENATOR CHIZEK: Mr. Speaker, I would make a motion we adjourn until April 11th at 9:00 a.m.

SPEAKER BARRETT: You have heard the motion to adjourn until tomorrow morning at nine o'clock. Those in favor say aye. Opposed nay. The ayes have it. Motion carried. We are adjourned. (Gavel.)

Proofed by:

  
LaVera Benischek

May 9, 1989

LB 162, 162A, 319, 541

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 162 be advanced to E & R.

SPEAKER BARRETT: You have heard the motion to advance LB 162. All in favor say aye. Opposed no. Carried. The bill is advanced.

CLERK: LB 162A, Senator, I have no amendments to that bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 162A be advanced to E & R.

SPEAKER BARRETT: Shall LB 162A be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 319, Mr. Clerk.

CLERK: LB 319, Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 319.

SPEAKER BARRETT: Shall the E & R amendments be adopted to the bill? Those in favor say aye. Opposed no. Carried. They are adopted.

CLERK: I have nothing further, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 319 as amended be advanced to E & R.

SPEAKER BARRETT: Shall LB 319 be advanced? All in favor say aye. Opposed no. The ayes have it. The bill is advanced. LB 541.

CLERK: LB 541, Senator, I have E & R pending.

May 15, 1989

LB 175, 228, 312, 312A, 319, 323, 336  
340A, 357, 423, 744, 761, 813, 814  
815

PRESIDENT: We're still on the machine. Record, Mr. Clerk, please.

CLERK: 26 ayes, 8 nays, Mr. President, on adoption of Senator Lamb's amendment.

PRESIDENT: The Lamb amendment is adopted. Do have another one, please?

CLERK: Mr. President, may I read some items for the record?

PRESIDENT: Yes, please.

CLERK: Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 319 and find the same correctly engrossed, LB 175, LB 228, LB 312, LB 312A, LB 323, LB 336, LB 340A, LB 423 and LB 744, all reported correctly engrossed.

I have amendments by Senator Warner to LB 813, Senator Schimek to LB 814, Senator Nelson to LB 357, Senator Smith to LB 815, Senator Warner to LB 814 and LB 813. That's all that I have, Mr. President. (See pages 2379-87 of the Legislative Journal.)

PRESIDENT: Okay, another amendment, please.

CLERK: Mr. President, Senator Scofield would move to amend the bill. (The Scofield amendment appears on pages 2387-88 of the Legislative Journal.)

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President, and members, I think this is a non...one of those rare noncontroversial amendments on this issue. You have a handout that's been circulated a little bit earlier. The purpose of this amendment is to put us...to slightly change our definition of low-level radioactive waste so that it conforms with what the current federal language is. Currently, our definition in the State of Nebraska we define low-level waste primarily by what it is not and the particular amendment that is being offered here would...if you will take a look at the handout, if you can find that under your materials there, under the Low-Level Radioactive Waste Policy Amendments Act of 1985 it specifically spells out

May 22, 1989

LB 209, 319, 323

Reading. A very brief announcement. Inasmuch as all bills were handled Friday that are to be amended and returned, this day will be a very long day of Final Reading. I would ask for your cooperation on the floor. We are to be in our seats for Final Reading according to our own rules, not the Chair's rules. The rope will be tied tightly at the back. The Sergeant-at-Arms have been asked to guard that rope jealously. I would ask that you keep your movement on the floor to a very, very bare minimum and conversation as well. It will be a long day of Final Reading. I ask for your cooperation. Mr. Clerk, LB 209.

CLERK: Mr. President, Senator Hall, you had amendments printed. You want those withdrawn, Senator, is that correct?

(Read LB 209 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 209 pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Record vote read. See page 2615-16 of the Legislative Journal.) 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 209 passes. LB 319E.

CLERK: (Read LB 319E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 319, with the emergency clause attached, become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2616-17 of the Legislative Journal.) 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 319E passes. LB 323.

CLERK: (Read LB 323 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 323 become law? Those in favor vote aye, opposed nay. Record, please.

May 22, 1989

LB 209, 319, 323, 354, 354A, 360, 360A  
378, 378A, 388

and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360 passes. LB 360A.

ASSISTANT CLERK: (Read LB 360A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 360A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2621 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360A passes. LB 378, Mr. Clerk.

ASSISTANT CLERK: (Read LB 378 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2622 of the Legislative Journal.) The vote is 30 ayes, 11 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378 passes. LB 378A.

ASSISTANT CLERK: (Read LB 378A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2623 of the Legislative Journal.) The vote is 35 ayes, 5 nays, 5 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378A passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 209, LB 319, LB 323, LB 354 and LB 354A, LB 360 and LB 360A. LB 388, please.

May 22, 1989

LB 209, 319, 323, 336, 354, 354A, 360  
360A, 378, 378A, 388, 408, 408A, 412  
412A, 423, 438, 438A, 444, 449, 449A  
541, 569, 569A, 574, 575A, 575, 630  
640  
LR 219

While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 219. Mr. Clerk, where did we leave off?

CLERK: Mr. President, before we commence Final once again, I have an explanation of vote from Senator Conway. (Re. LB 209. See page 2648 of the Legislative Journal.)

Acknowledgement from your Enrolling Clerk, that bills read on Final Reading have been presented to the Governor. (Re. LB 209, LB 319, LB 323, LB 354, LB 354A, LB 360, LB 360A, LB 378, LB 378A, LB 388, LB 408, LB 408A, LB 412, LB 412A, LB 423, LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 575A, and LB 575.)

Mr. President, the first bill on Final is LB 630, this afternoon.

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'll take your seats, please, we'll start Final Reading on LB 630, please. LB 630, Mr. Clerk.

CLERK: (Read LB 630 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 630 pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on pages 2648-49 in the Legislative Journal.) 41 ayes, 1 nay, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 630 passes. LB 640 with the emergency clause attached.

CLERK: (Read LB 640 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 640 pass with the emergency clause attached? All those in favor vote aye, opposed nay, and I am reminded again for the second time today that some of you are not remaining in your seats while Final Reading is being read. Have you all voted? Record, Mr. Clerk, please.

switch hearing rooms for purposes of conducting public hearings on February 15.

PRESIDENT: No objection, so ordered. LB 984.

CLERK: Mr. President, 984, a bill introduced by the Banking, Commerce and Insurance Committee. (Read title.) The bill was introduced on January 4 of this year, referred to the Banking, Commerce and Insurance Committee, advanced to General File. I have no amendments to the bill.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, 984 was brought to us by the Department of Insurance. As you can tell, there were only one...there was one testifier, opponent, Bob Lang, from the Department of Insurance. There has been a number of major changes of insurance law in recent years. You'll recall LB 92, last year, a major rewrite of the code, LB 319 the new liquidation and rehabilitation statute. And, frankly, when you do that much changing of the statutes you miss some internal references, you sometimes take a steampipe from one and it just doesn't fit to the steampipe of another, and you got to find it in the next year when you go through and locate the places where you just didn't write the bill as carefully as you needed to. These are general housekeeping changes brought to us by the department. If you take a look at the explanation in the committee statement, you'll see that most of them simply say clarifying language. In one case you strike a reference to an entity which does not exist in Nebraska insurance law. It was the use in our Supervision Rehabilitation Act of a national model, and in that model there was a list of a kind of insurance that we don't apparently sell in Nebraska. But of the substantive measures we changed Section 44-3903 to clarify that persons exempt from examination to receive an insurance agent's license, covering variable contracts, are not also exempt from continuing education. In other words, although they may be exempt from the examination, they're not exempt from continuing education. This was an unintended consequence caused by LB 92. We also amend 44-4010 to provide that real estate brokers, associate brokers, or sales persons who sell home protection insurance in connection with the sale of insurance may be issued an insurance agent's license without examination for the sale of this one kind of insurance at the point of transaction, that has historically been the intention of the law. Apparently, the