

February 14, 1975

SENATOR DUIS: Mr. President, I think what you're doing, you're failing to read all of the words here. What it says here, "corporation or subdivider acting as a broker", you just forget to read all the words. You've got to go clear to the comma. It says, "when he's acting as a broker".

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: Question for Senator Duis. What does it mean to be acting as a broker? If in fact I have property, I subdivide it, I take it upon myself to sell those lots, am I not acting as a broker?

SENATOR DUIS: No sir. You're acting as an individual. I'm a broker. I'm the one that takes it from you to sell to someone else.

SENATOR BEREUTER: Is broker defined by law?

SENATOR DUIS: In the real estate law it is, yes.

SENATOR BEREUTER: Thank you.

PRESIDENT: Is there any further discussion? Senator DeCamp.

SENATOR DeCAMP: Question of Senator Duis, or whoever could answer it. In the bill it mentions something about being convicted of a felony and losing your license. Now is this . . . does this mean that if you have been convicted of a felony and then have served your time or completed your whatever, you are disqualified from ever becoming a real estate broker? Or does it mean that if you're already a broker and you are convicted of a felony that is just cause for taking the license? It's an important distinction.

SENATOR DUIS: The question you're asking is, if you've served your time and you've been released from the felony. That's a good question. I can't answer it, but I would presume . . . what is the normal situation? You're an attorney, what is the normal situation when a felon is released? Does he gain his rights?

SENATOR DeCAMP: Well that's why I'm bringing this up. This issue has come up out at the penitentiary. Mr. Veteck and others brought it up and they said, you know you tell us to get these guys educated, to get them qualified to do things, then your laws in the state of Nebraska are ranging from barbering to being a doctor, to being a lawyer, to doing anything, you disqualify them from ever being in these professions even after they've gotten out of the penitentiary. Now we have a bill drafted, and all the research has been done to check out every single licensing provision where these laws apply and make a provision that, once they've completed their time, and so on and so forth, that they can, if they qualify, they can get a license. I'm just wondering whether . . .