

May 17, 1973

SENATOR MARVEL: Well do you think that the override of the veto will force some kind of rearrangement so that what we hear about the fact that if the bill is passed, four or five banks in the state benefit and the rest don't? Do you think that something will be done to overcome this particular--

SENATOR SCHMIT: Well, of course, Senator Marvel, if there's, if a problem develops in this area I, I've promised this to the Governor on other bills and I have kept my word. Several years ago we passed LB 939 and there were some problems with the bill and I told the Governor I would correct them the next session and I did and if a problem develops, this Legislature will be back in session on January 1 or 2 and we can correct those problems. I do not foresee any problems. I think that as happened 12 years ago when the first additional teller facility bill was passed, six months after the bill was passed there was, the hard feelings had been erased and the people who could use the facility went ahead and constructed one. In this area today we will find banks that will build facilities with the approval of the Banking Department but those who do not need the facility will not build it. It seems totally incongruous to me that we would allow a bank in an area which will never need even one facility to dominate the business affairs of a bank which has need of one or more facility.

SENATOR MARVEL: Thank you.

PRESIDENT: Any further discussion on the bill? Senator Fellman.

SENATOR FELLMAN: Will Senator Schmit yield to another question?

PRESIDENT: Senator Schmit, will you yield?

SENATOR SCHMIT: I yield.

SENATOR FELLMAN: In the location or in the, the, reference has been made here to approval by the State Banking Department and Commissioner. Approval is necessary for a, a State bank, a char--a bank with a State charter to locate a facility at a particular location, isn't that correct?

SENATOR SCHMIT: That is correct.

SENATOR FELLMAN: Now, what about a national bank charter?

SENATOR SCHMIT: The Comptroller of Currency grants approval for a national bank charter but they do check with the State Banking Department, also the Federal Deposit Insurance Corporation.

SENATOR FELLMAN: Well, well, but is the, does the State have any control or authority over the location of a facility by a bank with a national charter?

SENATOR SCHMIT: In my conversations with the Banking Department over the years, Senator Fellman, I have been advised that the Comptroller of Currency does not and will not go against the wishes of the State Banking Department. I have never known a case of it to happen.

SENATOR FELLMAN: Well but isn't it a fact or is it not a fact that the, the State, the nationally ba--charter, a bank with a national charter can legally locate any place it wants under this bill within the corporate limits notwithstanding the opinion of the State Department of Banking?