

February 7, 1980

LB 491

comptroller will put a bank where he wants and you can write laws up one side of this wall and down the other and you are going to go nowhere, but this puts into specific language a fact that I am sure the Department takes into consideration and I find no real difficulty with it other than agreeing with Senator Fowler.

SPEAKER MARVEL: Senator Schmit, speaking to the Fowler amendment.

SENATOR SCHMIT: I wish I would have spoken before Senator Murphy did. Now I find myself in the position of having to agree with both Senator Murphy and Senator Fowler on an issue which they both opposed me on many times in the past but I guess I would have to say I don't know really how, although I will probably support the amendment, how you can, if you read it, believe that the Department of Banking can follow the language when it says nothing contained in this subsection shall be considered by the Department as a basis for the denial of any pending or future bank charter application. I think we just as well be, you know, we can kid each other once in awhile and that is politics and that is acceptable but we should not kid the public, and what we are doing under LB 491 is that we are providing citywide branch banking. Now if we called it that there would be a hue and a cry and a gnashing of teeth but it is citywide branch banking and I think what Senator Dworak is referring to and what he is concerned about is that for years on this floor I have supported legislation which I have felt would strengthen banking and provide for stronger banks and the better ability to serve the customer. We are saying in this amendment that even though there is a facility in a certain part of a community that provides full service, that means that you don't just cash checks there, it means you can go in and have a safety deposit box. It means that you can get a loan. It means that you can conduct any kind of transaction there. It is a full service facility, that if I decide to want to build a new bank in that area and apply for a charter that the Department is going to disregard that full service facility. Now I want to ask Senator Dworak a question. Do you think, Senator Dworak, that the Department will, in fact, disregard that full service facility if I choose to locate a new bank within a similar neighborhood?

SPEAKER MARVEL: Senator Dworak.

SENATOR SCHMIT: Senator Dworak, do you think that the