

March 10, 1980

LB 893

Due to the shift in the Speaker's order this morning we got into E & R prior to Final Reading. Mr. Johnson was not here. I had a question on a bill that relates to his work on it and I would like to ask a question or two on it in order to decide whether or not I wish to move for reconsideration. I do not want to slow the process but I do want an answer to a couple of questions.

SPEAKER MARVEL: Is Senator Johnson in the room? Is it... Senator Johnson....

SENATOR MURPHY: Senator Johnson, on this....

SPEAKER MARVEL: ...I'm trying to find out whether he wants to talk to you or not. Okay.

SENATOR MURPHY: You were not here this morning when the professional bill went through and you had indicated that you had some question about it, but I personally have a couple of questions. We advanced it to E & R for Engrossing.

SENATOR JOHNSON: Yes.

SENATOR MURPHY: I am unable to understand why we are injecting real estate people into a category of professionals. Now, it is my understanding that the professional category came about so that attorneys, doctors and the like who are not subject to immunity under a normal corporate structure and as they say, I can pierce the corporate veil and get to you personally, under this professional corporation you are allowed other corporate privileges but I still am allowed to get to you as an individual under any liability that you might create. Am I right that far?

SENATOR JOHNSON: Yes.

SENATOR MURPHY: All right, now then, we are going to add real estate people which does not really strike me as a bunch of people in that category who presently have the shelter of corporate protection and which this would destroy, plus the fact that they are going to subject themselves to the double taxation of a corporate structure which they could avoid with a small business administration corporation and for the life of me I can't see why we want to subject these people to this kind of a corporate situation.

SPEAKER MARVEL: Senator Murphy, are we referring to 893?

SENATOR MURPHY: Yes, sir.