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LB 605

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Just a question of Senator Koch if I may. Now, Jerry, the section in the statute that prohibits the lending of licenses, if a person to whom the license is lent uses the license, that is a criminal violation and he can be prosecuted. Is there no criminal violation as far as the person who lends the license is concerned? I guess all I am saying is I am wondering if that section is really necessary. It seems to me that that should be, if it is not, it should be covered as a criminal violation elsewhere in the criminal statutes.

SENATOR KOCH: I can't answer right now but I will get...I will try and get the answer for you, Senator Beutler. All right?

SENATOR BEUTLER: Okay, thank you.

SENATOR KOCH: Senator Goodrich says he can.

SPEAKER MARVEL: The Chair recognizes Senator Goodrich.

SENATOR GOODRICH: There is no penalty of any kind for this now and it is being done frequently, frankly.

SENATOR BEUTLER: It just seems to me that as a broad public policy question, there should be a law against the lending of any license like that. You know, I guess I am wondering why...I understand why you are doing it here, why aren't we doing it everywhere? I guess I am surprised that that act is not presently covered with regard to all licenses, doctors or lawyers or whatever.

SENATOR GOODRICH: Well, a doctor, for example, he can't even practice without having a license, for example. This deals with contractor's licenses. The contractor then hires journeymen electricians, for example, who are licensed who then perform the work. But this deals with the actual contracting itself which means that a man holds a journeyman's license and also a contractor's license can then say, okay, to this guy that is a journeyman licensed electrician, he wants to do a job. He doesn't have a contractor's license though. He says you go ahead and do the job and we will put the job through my name as a licensed contractor. What we are doing... in other words, you are getting licensed people to do the job but it is just they don't have the technical aspect of having a contractor's license besides the journeyman's license. So, consequently, that is what we are doing, we are saying they cannot loan their contractor's license, the contractor's portion of their license and, believe me, the penalty, for example, for