

apply. So I think that those two aspects of the amendment which, frankly, are the only two aspects of the amendment, the one of them is offensive and the other one is unnecessary, I think the amendment itself is of no value.

SPEAKER NICHOL: Senator Higgins, would you like to close on your amendment, please.

SENATOR HIGGINS: Thank you, Mr. President. I would remind the body, we're not talking about a shop clerk, we're not talking about somebody going in buying a pair of nylons or a pair of anklets, we're talking about the largest transaction anybody is going to make other than those who are going into a business for themselves. But young couples raising families, buying their first home, elderly people that are selling their home for the first time that maybe they have lived in for 40 years, we're not talking about a small amount of money here. I did a survey in Omaha of all the people who bought and sold homes for about four months. According to that survey, and any senator that wants to come down to my office and look at the responses to that survey, the individual responses, I'll be happy to show them to you. Fifty-one percent of the sellers did not know, they did not know that the real estate agent's commission rates are negotiable, more than half of the people, and yet they say they don't want the people to know that. They just sit down and say, this is it, 7 percent. I have had people tell me their agent told them that it was set by law. That's the purpose of this, is to clarify it so the people aren't "schnockered" into thinking the law sets the rate. The law does not set the rate. The real estate agents do, the brokers do. As for the confidentiality, again, people assume that the real estate agent that goes to make an offer on a house for them are going to keep that confidential, whatever they say to them. And for your information, insurance companies are required to keep your claims confidential. You have to sign a release for them to go the hospital and get any information about your treatment and they are required as are their adjustors to keep everything confidential that they get from the hospital. Doctors are required to keep confidentiality. I haven't taken the time to go through the list, but I'm sure there are many others that are required to keep confidentiality, if not by law, at least by some type of oath that they take or perhaps when they are licensed. But I know of nothing in the Nebraska Real Estate Commission law or licensure law that says they