

January 7, 1982

LB 679 - 686

CLERK: 33 ayes, 0 nays, Mr. President, on adoption of amended proposal number 16.

PRESIDENT: The motion carries and amended proposed Rule 16 is adopted. There are a few more rule changes but we will read some matters in, Mr. Clerk. Go ahead.

CLERK: Mr. President, I have some new bills. LB 679 introduced by Senators DeCamp, Kilgarin, Wesely, Labedz, Higgins, Haberman, Barrett, Rumery, Nichol, Stoney, Remmers, Kahle, Howard Peterson, Chronister, Hefner and Lowell Johnson. (Read title as found on page 137 of the Journal). LB 680 offered by Senator Cope. (Read title). LB 681 offered by the Government, Military and Veterans Affairs Committee. (Read title). LB 682 offered by the Government, Military and Veterans Affairs Committee. (Read title). LB 683 offered by Senator Beutler. (Read title). LB 684 offered by Senators VonMinden, Hefner, Pirsch and Stoney. (Read title). LB 685 offered by the Miscellaneous Subjects Committee. (Read title). LB 686 offered by the Miscellaneous Subjects Committee. (Read title). (See pages 137 through 138 of the Legislative Journal).

Mr. President, I have a report from the Committee on Committees. That will be inserted in the Legislative Journal. (See pages 138 and 139 of the Journal). That is all that I have now, Mr. President.

PRESIDENT: We are back on rules. I understand there are some more rules that have been proposed...rules that have been submitted. Do you want to read the next one?

CLERK: Mr. President, the next proposed rules change is offered by Senator DeCamp. Senator DeCamp would move to amend Rule 7, Section 7(c)(1) by striking "three-fifths" and inserting "majority of the elected members." That is offered by Senator DeCamp.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Well, Mr. President, it is a simple rule, just keeps conformity with our other reconsideration motions. At the present time if a bill fails on Final, it requires 30 votes to reconsider it. We have had occasion after occasion in here that I can recall and everybody in here has had a bill or two that is has happened to, I would guess, where because it was a tight issue and you had 25, 27, 29 votes, whatever, 4 or 5 people were excused that day. For one reason or another somebody had to go on a trip or somebody

March 1, 1982

LB 577, 580, 627, 671,  
680, 702, 803, 905.

CLERK: Mr. President, your Committee on Constitutional Revision and Recreation whose Chairman is Senator Labedz reports LB 577 advanced to General File, 671 General File, 803 General File, 580 indefinitely postponed, 627 indefinitely postponed, 680 indefinitely postponed and 905 indefinitely postponed, all signed by Senator Labedz.

Mr. President, with respect to 702 I have E & R amendments to the bill.

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion is carried, the E & R amendments are adopted.

CLERK: Mr. President, Senator Newell would now move to amend the bill and the amendment is on page 879 of the Legislative Journal.

SPEAKER MARVEL: Okay, Senator Newell.

SENATOR NEWELL: Yes. Mr. President and members of the body, when this bill was up on General File, I rose to speak against the kill motion and later voted against the advancement of the bill. One of my concerns at that time was that the way the interest rate was set up that there would be a tremendous incentive, an incentive to loan money to individuals under the provisions of this act to a higher extent than they may need or even request because there were certain incentives built in because of the point situation that it was more profitable to those who would loan the money if they loaned up to \$6000 or at least above the \$3000 provision. Presently the bill stands at a total finance charge of points being offered of up to \$500 in costs and 7 points. Now I talked to Senator Clark and Senator Clark and I discussed and basically came up with a proposal and this proposal is to make that a point situation to require it to be no more than 7 percent on the first \$2000 and 5 percent, 5 points on the remainder and leaving the total of \$500 in the provisions. Now I talked to the small loan industry and they agreed and basically that is what this bill does, except...this amendment does, except for the fact that it clarifies internal references which authorize or makes clear that small loan companies may charge the normal usury rate. In other words, they don't have to use this provision of the law, they can, in fact, charge lesser interest which is what I would hope they would do, but this allows them to have that free...that freedom to use the smaller interest or the provisions of the bill as it is presently being drawn with this amendment, which means that no more