

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB771

Hearing Date: Tuesday January 19, 2016
Committee On: Banking, Commerce and Insurance
Introducer: Lindstrom
One Liner: Change provisions under the Securities Act of Nebraska relating to registration by coordination and federal covered securities

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Campbell, Craighead, Fox, Gloor, Lindstrom, Scheer, Schumacher, Williams

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Brett Lindstrom
Director Mark Quandahl

Representing:

Introducer
NE Dept. of Banking and Finance

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB771, introduced at the request of the Department of Banking and Finance, would amend two provisions of the Securities Act of Nebraska. The bill would provide, section by section, as follows:

Section 1 would amend section 8-1106 of the Securities Act of Nebraska to change the requirement that an issuer of securities being registered by coordination notify the director of the Department of Banking and Finance by telegram or facsimile transmission. Section 8-1106 would also change the requirement that the director of the department notify registrants by telephone or telegram of a stop order denying or suspending the effectiveness of a securities registration statement to a notification by telephone or electronic mail. The amendment will also require the department to confirm any electronic notifications of stop orders by letter, as it is currently required to do for telephone notifications.

Section 2 would update section 8-1108.02(2) of the Securities Act of Nebraska, which relates to notices required to be filed with the department by issuers of federal covered securities. Federal covered securities are securities exempt from state registration requirements by federal law (the Securities Act of 1933); states retain the right to require filing of notices of the sales, along with a fee. Nebraska currently does so. The amendments would provide authority to the department to require issuers of federal covered securities to submit to the department any documents, including amendments, which the issuer is required to file with the federal Securities and Exchange Commission.

Section 3 would provide for repealers of amendatory sections.

Jim Scheer, Chairperson