

March 18, 1975

SENATOR SAVAGE: LB 295 is advanced. The next bill to be taken up is LB 310. Chair recognizes Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, . . .

SENATOR SAVAGE: Can we read the bill first Senator Dworak?

SENATOR DWORAK: Yeah.

CLEPK: Read title.

SENATOR SAVAGE: Chair recognizes Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, the intent of LB 310 relates to the unfair practices by abstractors. The bill would make discounting of abstracting fees an unfair practice. Whereas the present law merely requires that such discounts be disclosed, the bill would eliminate all discounts, whether they were disclosed or undisclosed.

SENATOR SAVAGE: Is there any further discussion? Senator Dickinson.

SENATOR DICKINSON: Question of Senator Dworak please.

SENATOR DWORAK: Yes.

SENATOR DICKINSON: Senator Dworak, are you telling us that you don't believe in free, competitive enterprise?

SENATOR DWORAK: No, Senator Dickinson.

SENATOR DICKINSON: The bill appears very much to be telling us that.

SENATOR DWORAK: You're interpreting discounts to mean reduction in price, pre-stated. That's not the intent of the bill. If an abstractor publishes and states a discount, that is still allowed. This attempts to . . . and I think the terminology in the present law is awkward. What I think . . . a discount, in this bill, refers more in the line of rebate, rather than discount. Rebate - you get an implication of giving something back. What this bill attempts to do, and it's my understanding that in certain areas of the state a mortgage institution or a real estate institution will contact or contract with an abstractor. They'll charge the client say \$10. The abstractor only gets \$8, consequently the mortgage institution or the realtor would take the \$2 differential. They would be compensated in addition to their existing fees.

SENATOR DICKINSON: Are you still on my time Senator Dworak? If so another question. Where did this bill originate?

SENATOR DWORAK: Pardon.

SENATOR DICKINSON: Would you care to disclose the origin of this legislation?