

April 24, 1975

SPEAKER: Motion fails. What do we do with the bill?

CLERK: Mr. President, the bill is still advanced.

SPEAKER: Any other amendments?

CLERK: Mr. President, had I been present, I would have voted aye on LB 23. Signed Senator Frank Lewis. Mr. President, I ask to be excused on Friday, April 25. Signed Senator Kennedy. Mr. President, a motion on your desk to introduce a bill by Senator Schmit. Mr. President, I move the introduction of the attached bill. Bill read. The bill is signed by members of the Agriculture Committee.

SPEAKER: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, the purpose of this bill is to amend the Uniform Commercial Code to provide that when the buyer and the seller enter into an agreement and the buyer is insolvent, that the title to the purchaser of the goods. This bill is being introduced by the Ag Committee, or at the request of the Ag Committee, in order to attempt to work out some of the problems that have been developed as a result of recent incidences that have occurred in the livestock industry which there is a detriment of both the livestock producer, livestock industry, in the state of Nebraska. This bill, if placed on General File, I'm sure, will generate considerable discussion. You will recall, upon the introduction of an earlier bill, Senator Duis asked me if it were possible to amend the Uniform Commercial Code. To do that, which we are attempting to do under this legislation. I do not know what the reaction will be of this body, nor the reaction of the courts if we introduce this bill and it should become law. I do believe that under the direction of this bill, at this time, by this body, placed on General File, would result in proper airing of a problem which certainly is of importance of the entire state of Nebraska, the midwest, livestock industry, the banking industry and consumers in general. Therefore, I request that the body give this the 30 votes necessary for introduction of the bill.

SPEAKER: The Chair recognizes Senator Syas.

SENATOR SYAS: Well, I'm going to vote to introduce the bill, but I just want to ask Senator Schmit, since this will go in General File and will be below number 600 there, if he has somebody in mind that's going to pick this bill up as a personal bill, otherwise I think it's going to be 76.

SENATOR SCHMIT: Well, Senator Syas, I've discussed this with several members of the body and several persons have indicated that they would take a look at the bill, if it were introduced, and possibly would bring it up as one of their favorite bills.

SENATOR SYAS: I hope you're right. I thought maybe you would do that. Then I'd know the one you got the sword with. Now you've got me guessing on what one you're going to pick.