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LB 84

years and that probably is constitutional, because in the foreclosure proceedings the right to redeem for the two years period of time is still preserved which is constitutionally required. However, section 3 deals with a different method of foreclosing. That deals with a tax deed sale method and there when we say that that tax sale can be confirmed in one year, which is what section 3 says, rather than two years, we have a constitutional problem.

SENATOR NEWELL: Okay, now what do your amendments do again then?

SENATOR JOHNSON: My amendment would eliminate section 3 entirely.

SENATOR NEWELL: And that is it?

SENATOR JOHNSON: And section 4, section 4 for a little different reason, Senator Newell.

SENATOR NEWELL: And would you explain why you are eliminating section 4 in your amendment?

SENATOR JOHNSON: Yes. Attorneys that work in the tax foreclosure field believe that when we provide, very simply, in section 4 that the petition and all proceedings in such foreclosure suit shall designate township, range, sections or part of the sections, the number and description of any lot or block by initial letters, abbreviations of figures and the mailing address that that states too many specifics that have to be included in a foreclosure petition and doesn't leave enough flexibility for the kind of information that presently is provided in foreclosure petitions. Now tax attorneys think that these changes to existing law are bad changes.

SENATOR NEWELL: Okay, now one more question. It is the same question only it is restated. We are eliminating from the bill as it was without committee amendments only section 3 and section 4 with your amendments?

SENATOR JOHNSON: That is correct.

SENATOR NEWELL: All right. Mr. President, I rise to support the Johnson amendment. The section 3 is obviously unconstitutional. That part had to be taken out. It was badly drawn. And I will take Senator Johnson's word for the complications that arise in stating all these things in section 4 of this bill. So for that reason with those assurances that Senator Johnson provided since I have not looked at his amend-