

referred to the Banking Committee, advanced to General File. I do have Banking, Commerce and Insurance Committee amendments pending, Madam President.

SENATOR LABEDZ: Senator Landis, on the committee amendments.

SENATOR LANDIS: Madam Speaker, members of the Legislature, LB 606 is a measure that requires the credit agreements of certain kinds be in writing to be effective and that modifications to certain credit agreements be in writing to be effective. The committee amendments further spell out what kind of provisions need to be in writing and when that term applies. The committee amendments define what a credit agreement is. It indicates that a creditor or debtor may not maintain an action on the credit agreement unless it is in writing, expresses consideration, sets forth relevant terms and is signed by both the creditor and the debtor. Indicates that there are certain actions that do not create a new credit agreement but are modifications and that they need to be in writing if they are covered by an initial notice. Creates an operative date of January 1, 1990 so that this change in the course of conduct will become well known prior to the occurrence of a change. Provide a debtor and creditor may not assert a defense in an action as well as maintain an action on a credit unless it meets the requirements of being in writing. To require the creditor at the time of the initial loan or extension of credit to give the debtor a notice signed by the debtor stating that the credit must be in writing to be enforceable under the Nebraska law, and then indicate that this will apply only to credit agreements entered into or after January 1, 1990. Having told you what the committee amendments are, I would urge the body to adopt them and then when the bill is in its complete form, we then discuss the measure as to whether or not it is good policy. Thank you, Mr. Speaker.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Discussion on the committee amendments, Senator Lamb.

SENATOR LAMB: Mr. President and members, I have a question of Senator Landis, if I may.

SENATOR LANDIS: You bet.