

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 8, 2000

LB 929

transactions. And Article IX says, look, this doesn't cover governmental units if it's not meant to, but you need to make specific whether or not the new Article IX covers municipal transactions. We have a body of law for municipal transactions, and it creates the perfection of the security interests that are created by governmental units when they issue bonds, the priorities of such security interests when they're governed by express contractual terms as set forth in a bond or in an indenture that is created by a city, and it allows existing statutory provisions that govern the enforcement of those bonds and those security interests to have the right of way. So one of the things that we're asking to do here is to go back to our Article IX provisions of last year, which we passed and which will come into effect July 1, 2001, and we want to explicitly say, new Article IX does not change municipal bond rules, they stay in effect. It clarifies what we did in the new Article IX. That's not the only clarification that we need to do to Article IX, and frankly the Uniform State Law Commissioners themselves have come up with a body of recommended modifications to the Article IX that we passed last year. And while they constitute, in a sense, a revisor's bill from the Uniform State Law Commissioners, we can't treat them as a revisor's bill here. What I can tell you is that the Uniform State Law Commission said, here are a group of very modest technical amendments that need to be done because we did not draft as carefully as that 150-page document needed to be done with certain otes and internal references. And this is that body of cleanup language. And frankly, that set of amendments that have been provided by the Uniform State Law Commissioners is in this amendment. There's one last idea that's in this amendment, and that's our Secretary of State already has an agreement that the State Records Board, when they establish fees, will bring them back to the Legislature for approval within 18 months. And that rule, that agreement has never been passed into statute. So that's part of this amendment, as well as accessing electronic information on our UCC and statutory lien records has a cost, and this cost is \$15 for up to 1,000 records that are accessed, and then an additional \$15 for each additional 1,000 records. When somebody downloads a bunch of UCC filings, and they happen to be a major provider of let's say fertilizer or a lender of some kind, it's entirely possible they're going to dump an entire counties load, or a portion of a record that will...that