

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

January 23, 2003 LB 70, 182

advancing it please vote aye, and those opposed vote nay.
Please record, Mr. Clerk.

ASSISTANT CLERK: 36 ayes, 0 nays on the motion to advance the
bill, Mr. President.

SPEAKER BROMM: The bill does advance. Next item, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 70 was introduced by
Senators Kremer, Aguilar, and Erdman. (Read title.) The bill
was read for the first time on January 9 of this year, referred
to the Banking, Commerce, and Insurance Committee. That bill
(sic) reports the bill to General File with no committee
amendments attached.

SPEAKER BROMM: Thank you, Mr. Clerk. Senator Kremer, you're
recognized to open on LB 70.

SENATOR KREMER: Thank you, Mr. Speaker, members of the body.
LB 70 was a bill that was introduced last year, and it was
voted...advanced out of committee unanimously, but it was never
scheduled for debate on the floor. So we introduced it again
this year. And it was brought to us by the Nebraska Co-op
Council. When their auditors were doing auditing, they found a
discrepancy, or a contradictory provision in section 52-1603,
that said even though they had thought they had followed all the
requirements to be not liable for...or to have waivers on
provisions of a lien, they found out that they could still be
liable, even if they thought they'd followed all the right
procedures. What would happen, many times they would have to go
and do an individual search on who the lienholders might be,
which is very costly to them. There are three sections to this
statute, 52-1603, that are provisions that you can do to waive
the liability that you might have. Section (1), in which all
the purchasers of farm products would be doing would be
subscribing to the master lien list. When somebody files a
lien, they need to report it to the Secretary of State. Then
it's put on a list that is provided quarterly to those that buy
these products. The elevators then, at that time, would
subscribe to the quarterly master lien list. And if a
person...if there was a lien filed on that list, then they would