

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

May 21, 2003

LB 655

CLERK: Senator Beutler would move to amend, AM2029.
(Legislative Journal page 1976.)

SENATOR CUDABACK: Senator Beutler, to open on your motion,
AM2029.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this is a technical amendment I think is okay with Senator Quandahl. We talked about it on the floor earlier. He has a very good little bill that puts the pressure on people who are filing these nonsensical, nonconsensual, common law liens, and making it more difficult in a variety of ways for them to do that, including finding them liable for damages and reasonable attorney's fees when they attempt to file this sort of lien, and in submitting the lien under the current language they would have been subject to the liability, and I just put a little more verbiage in there so that in order to be liable they had to successfully attempt to file it. In other words, the public records are not really screwed up until it actually gets filed, and that's when you would want to come down on these people and punish them with liability and other things. So all the amendment does is to add to the submitting of the filing the fact that it has to be a successful filing, so that it's on record and clouding the record, which is the problem that you want to avoid. Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. You've heard the opening on AM2029. Open for discussion. Senator Quandahl.

SENATOR QUANDAHL: Thank you, Mr. President. I do agree with Senator Beutler's amendment. I think it's a good idea. It makes it even better, so I would urge that we do adopt AM2029.

SENATOR CUDABACK: Thank you, Senator Quandahl. Further discussion on the Beutler amendment? Seeing none, Senator Beutler, you...he waives the opportunity to close. Question before the body is adoption of AM2029, offered by Senator Beutler to LB 655. All in favor of the motion vote aye, opposed nay. Have you all voted who care to? Record please, Mr. Clerk.