

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 17, 2005 LB 119

in which the real property is located a duly acknowledge request for a copy of this notice or default of sale under the preexisting lien. A second provision is in the bill, and has been removed. And that includes, the insurer must otherwise arrange with the recorder of the county in which the real property is located to be advised in cases of the filing of record of any notice of default or sale with respect to any obligation secured by the preexisting lien. And Senator Beutler rightfully indicated that the register of deeds would set themselves up for liability problems if they obligated themselves to advise an insurer of the filing of notice of default for a sale with respect to any obligation secured by a preexisting lien. And finally, the insurer must be entitled, under applicable law, to receive notice of default, sale, or foreclosure of a preexisting lien. The amendment will remove the language. And I believe that it clears up any questions we had, and would urge approval of the amendment. Thank you, Mr. President.

SENATOR CUDABACK: You've heard the completion of the opening on AM0398, offered by Senator Mines to LB 119. Open for discussion on that motion. Senator Mines, ...I'm sorry, there are. Senator Beutler, you're recognized to speak.

SENATOR BEUTLER: Senator Cudaback, I just wanted to publicly thank Senator Mines for keeping a very open mind on a very big bill, and for bringing me in and making me listen and making a lot of other people listen. We had a wonderful discussion, a couple discussions. And it was the process working at its very best, and I appreciate that. Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. Further discussion on the Mines amendment? There are no lights on. Senator Mines waives his opportunity to close. The question is, shall AM0398 be adopted to LB 119? All in favor of the motion say...vote aye; opposed, nay. We're voting on the adoption of the Mines amendment. Record please, Mr. Clerk.

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of Senator Mines' amendment.