

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

May 3, 2005

LB 82

it's being proposed is that the Uniform Commercial Code, Section 9-317(e) and 9-324(a) were recently passed by Section 1222 of the bill passed by Congress, in Congress S256. And very simply, it extends from 20 days to 30 days the applicable period within which perfection of a purchase money security interest and property of a debtor may occur. The current provisions of the UCC are amended by...would be amended by AM1246 and provide that a purchase money security interest may be perfected within 30 days, rather than 20 days. The applicable provisions of the UCC give secured creditors a grace period within which to perfect that money, purchase money security interest, following the time that a debtor takes possession of property securing a loan. And UCC Section 9-324(a) applies to all types of goods, except inventory and farm product livestock. The purchase money security interest takes priority if it's perfected by the debtor, and receives possession of collateral within 20 days thereafter. The provisions of the Congressional S256 have given rise to the need that we need to harmonize the provisions of our UCC, because they take effect on October 17 of 2005, and obviously, we will not be in session to make that correction. So, Mr. President and members, I would ask passage...or return to...I would urge passage of AM1246. Thank you.

SENATOR CUDABACK: We are open on a motion to return. Open for discussion. Senator Mines, there are no lights on. He waives closing. The question before the body is, shall LB 82 be returned to Select File for a specific amendment? All in favor vote aye; opposed, nay. The motion before the body is a motion to return to Select File for a specific amendment. Have you all voted who care to? Record please, Mr. Clerk.

ASSISTANT CLERK: 33 ayes, 0 nays on the motion to return the bill, Mr. President.

SENATOR CUDABACK: The motion is successful. The bill has been returned. Mr. Clerk.

ASSISTANT CLERK: Mr. President, Senators Mines, Baker, and Janssen would offer AM1246.