

April 1, 1981

LB 271

more workable concept and at this time I would move the bill be amended.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to ask Senator DeJa vu, I mean Senator DeCamp, Senator DeCamp, I have seen your name so often this morning it seems I have been there before so pardon the slip. I want to ask you a question. Do you agree to accept Senator Johnson's amendment?

SENATOR DeCAMP: Yes.

SENATOR CHAMBERS: All right. Now I will ask Senator Johnson a question. I wanted to clear that first. Senator Johnson, what would happen if an agreement were reached between the borrower and the lender that would result in less than this amount being agreed upon? Is there something that would say...well, what would happen?

SENATOR JOHNSON: It will be a violation of the small loan licensing provisions, and see this, LB 271, Senator Chambers, the preauthorized loan transaction law fits within the overall context of the small loan laws and this is a licensed industry and if, in fact, these particular licensees don't conform to this amendment, then that, in and of itself, would be just cause for license revocation.

SENATOR CHAMBERS: And in addition to that, could we say it would result in the cancellation of any remaining outstanding balance?

SENATOR JOHNSON: Well, Senator DeCamp just told me a fact that I don't know...I haven't done any independent research on this but Senator DeCamp just said that he has quicklike learned that if the transaction did not conform to 271 that it would be an illegal transaction and no interest would be due and owing. That is the present (interruption).

SENATOR CHAMBERS: Okay, that would take care of my concern then.

SENATOR CLARK: The question is the adoption of the Johnson amendment. All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment.

SENATOR CLARK: Motion carried. Amendment is adopted.