

May 6, 1985

LB 389, 439

CLERK: Senator Remmers voting yes. Senator Labeledz voting yes.

SENATOR MARSH: The Clerk will record.

CLERK: 27 ayes, 10 nays, Madam President, on the motion to advance the bill.

SENATOR MARSH: LB 532 (sic) is advanced. I'm sorry, LB 439 is advanced. LB 389. Raise the call. Senator Withem's light is on. Thank you.

CLERK: Madam President, 389, I have E & R amendments, Senator.

SENATOR HALL: Madam President, I would move the E & R amendments be adopted.

SENATOR MARSH: The adoption of the E & R amendments is before us. Those in favor say aye. Opposed. They are adopted.

CLERK: Madam President, Senator Haberman would move to amend the bill. (See Haberman-R. Johnson amendment found on page 2001 of the Legislative Journal.)

SENATOR MARSH: Senator Haberman.

SENATOR HABERMAN: Madam President, members of the body, with my luck today I don't know whether I want to try an amendment on this good bill or not. It is a good amendment. Any grain elevator building or receptacle in which grain is held in storage for a period longer than ten days shall be construed to be a public warehouse within the meanings of Section 88-501 to 88-517. That is what the law says. Here is what I'm adding, must be licensed with the commission as a public grain warehouse. Any grain which has been received at any grain elevator, building or receptacle and for which the actual sale price is not fixed or payment made, therefore, within ten days after the receipt of the same is construed to be a grain held in storage. Now what this means is that when they buy grain, a trucker or what have you, and they don't fix the sale price or the payment within ten days, then they are to come under this bill that we are advancing which protects the farmer on the Warehouse Act and