

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT (CORRECTED)
LB910

Hearing Date: Tuesday February 04, 2020
Committee On: Appropriations
Introducer: Stinner
One Liner: Provide for, change, eliminate, and change distribution of fees and funds of the Secretary of State

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	8	Senators Stinner, McDonnell, Hilkemann, Erdman, Dorn, Clements, Bolz, Wishart
Nay:		
Absent:		
Present Not Voting:	1	Senator Vargas

Oral Testimony:

Proponents:

John Stinner
Bob Evnen
Bill Miller

Representing:

Senator
Secretary of State
Nebraska State Bar Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB910 would consolidate cash funds administered by and restructure fees assessed by the Secretary of State. It would also shift to a greater reliance on cash funds and less on General Funds.

Under the bill, the Secretary of State Cash Fund would be created, with the balance of the Administration Cash Fund, Corporation Cash Fund, Nebraska Collection Agency Fund, Secretary of State Administration Cash Fund, and the Uniform Commercial Code Cash Fund being transferred to the Secretary of State Cash Fund on July 1, 2021.

Fee schedules would be restructured under various categories including: Uniform Commercial Code, Collections, Licensing, Rules & Regs, and Corporations. Fee adjustments in both increases and decreases are included. Some of the fees under these categories were last changed anywhere from 1967-2013.

LB910 also stipulates that the Secretary of State shall use the Secretary of State Cash Fund for the administration of the office including duties related to oaths and bonds under Chapter 11, corporations and other business entities under Chapter 21, address confidentiality under Chapter 42, collection agencies and credit service organizations under Chapter 45, distribution of session laws and legislative journals under Chapter 49, liens under Chapter 52, notaries public under Chapter 64, partnerships under Chapter 67, debt management under Chapter 69, private detectives under Chapter 71, truth and deception examiners under Chapter 81, administrative duties, the Great Seal of the State of Nebraska, and rules and regulations under Chapter 84, trade names, trademarks and service marks under Chapter 87, and the Uniform Commercial Code.

The bill provides an operative date of July 1, 2021.

Explanation of amendments:

AM2163 would reinstate the stricken language on page 51, lines 9-10, requiring the filing office to accept and answer inquiries on records maintained by the Secretary of States office.

John Stinner, Chairperson