

## LEGISLATIVE BILL 218

Approved by the Governor March 21, 1977

Introduced by Mills, 44

AN ACT relating to liens; to provide for fertilizer liens as prescribed; and to declare an emergency.  
Be it enacted by the people of the State of Nebraska,

Section 1. A person, including a firm or corporation, who shall contract or agree with another (1) to furnish any fertilizer, soil conditioner, or agricultural chemical, (2) to furnish machinery and equipment for the application of such products, or (3) to perform work or labor in the application of such products shall have a lien for the agreed charges, or in the absence of an agreement, for the reasonable charges and costs of satisfying such lien, upon the crops produced within one year upon the land where such product was applied, the machinery or equipment for application was used, or the work or labor of application was performed, and upon the proceeds from the sale of the crops.

Sec. 2. Any lien under section 1 of this act shall be perfected by filing a notice of lien with the county clerk of the county where the land is located upon which the crops are growing or are to be planted. The notice of lien shall state (1) the name and address of the person to whom any product, machinery, or equipment was furnished or for whom work or labor was done, (2) the name and address of the person claiming the lien, (3) the last date upon which such product, machinery, or equipment was furnished or work or labor done under the contract, and (4) the legal description of the land upon which the crops are growing or are to be planted.

Sec. 3. In order to be valid against subsequent lienholders, any lien under section 1 of this act shall be filed within sixty days of the last date upon which the product, machinery, or equipment was furnished, or work or labor was performed under the contract, but in no event shall it have priority over prior lienholders unless prior lienholders have agreed to the contract in writing. Such lien shall attach as of the date of filing and may be foreclosed in the manner and form provided for the foreclosure of secured transactions as provided in article 9, Uniform Commercial Code.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.