

April 4, 1975

CLERK: LB 367 introduced by Senator Duis of the 39th District. Bill read.

PRESIDENT: Senator Duis.

SENATOR DUIS: Mr. President, I move that LB 367 be advanced to E & R Initial. LB 367 clarifies the Real Estate Act so that it would notify those who were in corporation as to who would be actual abide owners of property so that they could have the sale of that property without a broker involvement licensed by the Real Estate Commission and it sets that at 25 percent of the outstanding corporate stock.

PRESIDENT: The question is the advancement of the bill. Senator Murphy.

SENATOR MURPHY: Mr. Chairman and fellow members, there was considerable opposition in committee to the bill principally from the small lumber yards. People who, in a small community, will build a home and sell it. Their objection being, and I had several from my particular territory which is the occasion to my rising to oppose this bill. Their principal objection being that in as much as they build one or two at a time and do not have a 25 percent ownership of that lumber yard, they are therefore unable to sell it which means that they cannot, in that community, build and sell a home. There's very specific objection being that adding 6 percent for a real estate salesman, simply added 6 percent to the cost of the home buyer. Now this applies, I think, principally only in some of the small communities, which we all have but I seem to have several of. The larger subdividers, home developers, this would be another ball game. But these people felt this was an unfair proposition and simply added 6 percent to the cost of a home in these small communities and therefore they were there in opposition to it. And I feel obliged to state that opposition.

PRESIDENT: The question is the advancement of the bill. Record your vote. Have you voted? Senator Duis.

SENATOR DUIS: I beg of the Chair, I don't believe I've had an opportunity to close. I did want to remark back to what Senator Murphy said in opposition to this because I notice as chairman of the committee, he wrote the report and I had no hand in writing the report, unfortunately, but I do believe that I should have an opportunity to close. Should I or not?

PRESIDENT: If there's anything to close, I didn't see a light on.

SENATOR DUIS: Thankyou sir. I would ask for a Call of the House because this is important in as much as the fact that it requires a licensed electrician to wire that house.

PRESIDENT: There is a request to put the House under Call. Record your vote. Record Mr. Clerk.

CLERK: 20 ayes, no nays, Mr. President.

PRESIDENT: The House is under Call. All Senators please take your chairs and record your presence. Senator Carsten and Senator Syas, Senator Stull, could you please record your presence? Senator Cavanaugh. Would the Sargent at Arms please secure the presence of all members of the Legislature.