

March 31, 1980

LB 954

assertation standards, ascertainable standards. It sets no standards at all. I mean it is just too loose. It doesn't mean anything so I am striking the words "and belief". It will now read "such contractor will build to the best of his or her knowledge according to the adopted standards". Then on page 39, in lines 12 and 13, it says that...now it says that the Director shall pursue and go after these people if they find something is wrong with the house or the building and it makes it permissive to "may", which means that if something is wrong with a house or a factory or a building and it only amounts to five or six hundred dollars worth, it won't even be worth going after so it leaves it up to the Director to decide whether he should pursue and make them change it. That is what the amendments do and I ask their adoption.

SPEAKER MARVEL: Senator DeCamp, do you wish to be recognized on Haberman motion #2?

SENATOR DeCAMP: Mr. President, I think the amendments are wonderful.

SPEAKER MARVEL: The motion is the adoption of the Haberman amendment. Senator Venditte.

SENATOR VENDITTE: Be brief, as a matter of information, on page 39, Senator Haberman.

SPEAKER MARVEL: Just a minute. Senator Haberman, Senator Venditte has a question.

SENATOR HABERMAN: Go ahead, Pat.

SENATOR VENDITTE: Okay, Rex, in Section 49, it says if the Director of the State Energy Office or the local court authority finds within two years from the date the building is first occupied that the building at the time of construction did not comply with the standards, he or she shall order the owner to take those actions, whatever actions to be necessary. Well, who is the owner? For example, Senator, if I buy my home from you but you were the original designer and you were the original contractor, you built the home but you sold it to me. Two years later, now who are they going after? Are they going after me, the owner, or the original owner which would have been you in that circumstance. I don't know if I make myself very clear but I guess I am concerned about (interruption).

SENATOR HABERMAN: I know what you mean. I had an amendment that said "the original owner"...