

February 10, 1981

LB 31

PRESIDENT: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I wonder if I might ask Senator Vickers a question, please.

SENATOR VICKERS: Yes, Senator Cullan.

SENATOR CULLAN: Senator Vickers, you say that notified persons would receive mail, would receive a notice through the mail. Could you tell me exactly who I guess an "affected" person would be and who would receive such notice?

SENATOR VICKERS: The persons affected are the owners of record title of the property that the ordinance specifies that these districts are going to be created in. They are the owners, the persons that will be getting the notice by mail.

SENATOR CULLAN: Would an individual who, let's say would a savings and loan association which holds a mortgage on this particular piece of property be notified under your bill?

SENATOR VICKERS: I believe not, Senator Cullan. I think it would be the owners of record title, now whoever held the title. If the savings and loans held the title, then they would get the notice.

SENATOR CULLAN: Would an individual who has a mechanic's lien on this particular piece of property receive a notice under your particular amendments of the way you would like the bill to be?

SENATOR VICKERS: I believe not. I think it would be the owner of record title, Sam.

SENATOR CULLAN: Okay, thank you very much, Senator Vickers. I appreciate the clarification. Mr. President, members of the Legislature, after I took a look at this bill, I called an attorney that I know in western Nebraska and I asked him about it and those are the questions that he asked me and those are the responses, the same responses Senator Vickers gave me is the response that I gave him, and I guess my point is that there are people who have an interest in property who are not necessarily...who do not necessarily own that property and there are people who may be concerned who may eventually own that property after foreclosure or something and may be just as concerned or more concerned about additional liabilities as far as that property is concerned and those of you who are familiar with property law know that commercial