

May 28, 1981

LB 512

to vote for 512. I think the industry will be surprised to find it is not the nightmare they have in many instances tried to indicate it would be. I think it may work surprisingly well while giving some protection to the consumer, the individual who is buying the home, and that was what it was intended to do. Again I say, it is not a perfect piece of legislation, but it is the only piece on Final Reading for us today, and I am committed to vote for a piece of legislation which will make some step forward in protection for the potential homeowner. I want to have a chance to fulfill that commitment, so I will vote against bracketing LB 512 and I hope to vote for 512 on Final Reading. Let's give it a chance. The fact that both factions are unhappy ought to indicate it is a fair compromise at this stage. Let's try it.

PRESIDENT: The Chair recognizes Senator Fowler.

SENATOR FOWLER: I call the question.

PRESIDENT: All right, the question has been called for. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: The motion carries. Debates ceases, and Senator Peterson, you may close on your motion to bracket.

SENATOR H. PETERSON: Mr. Chairman and members of the Legislature, let me first of all point out that the very fact that there is disagreement between Senator Beutler and the law firms which you have heard from this morning is an indication that this is not a good bill, that there is a disagreement on how it will be interpreted and that this will then mean that every homeowner and every contractor will be ending up with legal advice and additional costs, and I just call your attention to that disagreement. Number two, you will notice that no one addressed the commercial contractor. And I call your attention again to the fact that the commercial contractor is not protected under this bill. This is one of the main reasons why I feel it ought to be bracketed. It seems to me that if we bracket the bill, we have the opportunity to come back another year and develop the kind of a bill that Senator Marsh is talking about. I thought we had such a bill in the