

February 14, 1975

contractors and subcontractors. Up until now there has been a difference of one month. Three months for the subcontractor and four months for the contractor, so you could wait to see if all the subcontractors had filed liens, and you had another month. Testimony, when this bill was heard, made it very clear that they thought that they both should have four months. So it's equal now, under the amendment, four months for both.

PRESIDENT: Senator Luedtke, your motion is to adopt the committee amendments. Could you advise the Chair. Your motion is to adopt the committee amendments?

SENATOR LUEDTKE: Yes, the committee amendments, that's right.

PRESIDENT: That is the question.

SENATOR LUEDTKE: That is the question, yeah.

PRESIDENT: Record your vote. Would the senators vote please. Record Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on motion to adopt.

PRESIDENT: Motion carries Senator Luedtke.

SENATOR LUEDTKE: Alright, now Mr. President I would move that LB 196 be advanced to E & R initial, as amended. LB 196, as I mentioned, is a lien law. The purpose of LB 196, the principle purpose, is to bring the subcontractors lien law into the same bill which we had some years ago which stated in the event of filing a lien concerning a general contractor you would have specific notice requirements that you would have to meet. You would have to notify the owner of record of the real estate within so many days. It went on and specified specifically what had to be done. It was assumed at that time that that law would also apply to subcontractors. However, Lancaster county District Court, this past summer during that session of the court, the court ruled and ordered that the law did not apply to subcontractors liens. In order to make the law state what the intent was in your first instance, namely that it applies to both general contractors and subcontractors, the notice shall apply to both, LB 196 was introduced. This will now make it apply to both.

PRESIDENT: Any further discussion? Senator Richard Lewis.

SENATOR R. LEWIS: Question of Senator Luedtke, if I might please. Senator Luedtke, I had a letter from an attorney friend of mine who points out that the time frame for the contractor is one month greater than the time frame for the subcontractor. Has that been corrected?

SENATOR LUEDTKE: Just a moment ago we voted . . . the vote did that.

SENATOR R. LEWIS: I'm sorry. I was on the telephone and I apologise. But I did want to be sure that this was taken into consideration.