

May 20, 1981

LB 512

to exempt commercial construction from the burdensome requirements of 512. Is that correct?

SENATOR BEUTLER: The intent of the amendment is to restore to commercial and industrial contractors their original rights, yes.

SENATOR H. PETERSON: And your amendment to Section 15 will allow for a claimant in a nonresidential construction situation to get a lien for the full amount unpaid to him or her. Is that correct?

SENATOR BEUTLER: That is correct.

SENATOR H. PETERSON: Then how does your amendment affect the situation that Senator Goll had? Senator Goll, as a contracting owner in a commercial construction would still have to pay twice. Is that right?

SENATOR BEUTLER: That's right. Would you prefer, Senator Peterson, that I did not amend it so?

SENATOR H. PETERSON: Let me just say this, that I am rather unhappy that I am the individual who had to send around the amendments that you and your fellow Senators have put on today on 512. I would ask the body to look at those rather carefully. I think it is rather unfair that those amendments have not been passed around previously. And I have got a few more questions I would like to ask you. Now what about those burdens lifted by your amendment under Section 24? We now have a notice of commencement, as I understand it, this is used to determine priorities of claims. Is that right?

SENATOR BEUTLER: That is right in certain instances.

SENATOR H. PETERSON: Under Section 13 a lien filed by a commercial contractor would cover back to the earlier of one, visible commencement of the construction or the filing of the lien. Right?

SENATOR BEUTLER: Yes.

SENATOR H. PETERSON: But if that same situation the owner or someone else files a notice of commencement, then the lien only relates back to the date such notice was filed. Is that right? That's section 16-2.

SENATOR BEUTLER: That's right.

SENATOR H. PETERSON: So in other words, a commercial contractor