

SPEAKER MARVEL: Senator DeCamp.

SENATOR DE CAMP: Mr. President, I made certain claims the first time I spoke on this bill. I think they were verified in the Attorney General's opinion. I am going to make some new claims about the bill now, give an example, ask Senator Beutler some questions. The claim is, almost everybody in the Legislature, almost every reporter I have talked to, almost everybody who has listened to the debate on this bill keeps thinking in terms of the creditor going after the land, in other words, getting their equity out of whatever property that joint tenant had. I think that is the impression that almost everybody in the body has. Is that right? I see everybody shaking their head yes. Well, most of you are shaking your head yes. I think that is clearly the impression that has been given. I submit to you that is not the truth at all, not the truth at all. The property is only a device. Here is my example. Senator Marsh and Frank Marsh are married. Aw heck, let's have them unmarried to do this one right. Senator Marsh has joint tenancy with Senator Maresh in a piece of property. Senator Marsh has a Bank Americard and a Mastercharge and when she goes out with her BankAmericard and Mastercharge, she signs, and I claim that is a written contract. Does anybody contest that? It is a written contract, a debt in writing as are almost all your other debts, unsecured, but they are debts in writing. Senator Marsh has \$848 on her Mastercharge. Senator Marsh, tragedy strikes, she goes to the big house in the sky, notice I had her going up, Shirley. One year later, one year later, Richard has the sheriff come to him one day and sue him personally. He is not suing on any land. He is not doing it on anything else. Richard has sold the land after Shirley died, week, six weeks, month later, six months later, Richard sold the land. Richard...we're going to change it from Richard Maresh because he is rich and our Richard is not that rich. He got \$5,000 from the land. He spent it on a car, bought some corn futures, lost that. One year later he gets a notice from the sheriff that he has been personally sued, not land, not anything else. Richard has been personally sued for Shirley's Mastercharge a year ago. I claim that is how this bill operates and it can operate on that scale or any other large scale. I claim further that it is ridiculous for Senator Beutler then to say, well, Richard, by golly, you have all the defenses that Shirley had. He didn't even know that Shirley had a Mastercharge. He just happened to have joint tenancy. He doesn't know what she bought or why or where or how or anything. Richard gets sued personally, not some land. The Credit Bureau immediately notes that there has been a lawsuit against Richard. His credit is wiped out. Let me tell you, you can wipe out credit and people in this room know it. You can wipe out