

solve the problem that Senator Pirsch and myself have attempted to solve for the last two years running. You may have heard that old phrase about I am from the government and I am here to help you, reflecting a strain of cynicism in American life with regard to our attitude towards our government because our government often comes up with solutions that are not solutions and which often-times only exacerbate the problem and I suggest to you that if you adopt these committee amendments that you will be simply fueling the cynicism of every homeowner of this state because they do not solve the problem. Having said that, let me back up for a moment and be sure that everybody on the floor of the Legislature is aware of what the current law is with regard to mechanics liens and homeowners. Presently every subcontractor and every material man who supplies goods that goes into a new home or that go into a home improvement, the persons that build the cabinets, the persons that bring in the lumber, every one of those persons has a right to file a lien within four months of the time that they last supplied goods and materials against the homeowner even though they have never dealt face to face with the homeowner but only with the prime contractor and even though they may have no idea whatsoever that that particular individual has supplied any materials or done any work on the project. Because they have that four month period and because a majority of new homes that are built and home improvements that are made take considerably less than four months if you have good weather, the occasion will often come up, most often comes up, where the homeowner has paid the prime contractor in full the contract price for the home or for the home improvement and then subsequent to that closing date, subsequent to that payment date, discovers that the prime contractor has failed to pay a contractor or failed to pay some material people, material suppliers and he discovers that there is a whole fistful of liens on his home and he has already paid the contractor, liens he is not able to discover under our law presently, hidden liens and this is what we have referred to as the hidden lien problem for the last year and a half and this is the problem we are trying to solve. How to as a minimum, give the homeowner notice that liens may be filed and who the persons are that may file the liens so that he can take action to protect himself or herself. If you reject the committee amendments then you will have in place, assuming no further amendment, LB 512 as originally introduced by Senator Pirsch and myself and now cosponsored by Senator Kilgarin and DeCamp. LB 512 in its original form is itself a compromise. The bill is a uniform bill that was drafted by the National Conference of the Commissioners of Uniform Laws...