

carpenter, supplier of toilets, whatever in that house is they may or may not have been paid. They may or may not have a claim and for me to argue as I have in the past and say, well look, they get a little piece of paper from the lawyer and it says, you should make yourself aware of anything that has been done in the last ninety or hundred and twenty days or whatever to make sure that there are no unpaid bills, doesn't really mean very much. Because you rot it from the lawyer you think everything is settled and I say you think and the evidence for it is, it has happened....

SENATOR KAHLE PRESIDING

SENATOR KAHLE: One minute left.

SENATOR DeCAMP: ...time and time and time again. So I say it is time to test this new idea and I understand the arguments against it. I understand that it may cut out some financing and may make people have to pay cash and may alter the system a little and it may develop problems that have to be addressed in the future but for now, I do believe the time has come to try this system as opposed to what we've got and for that reason I respectfully urge you to reject the committee amendments and support the bill in essentially its original form.

SENATOR KAHLE: Senator Kilgarin, you are next.

SENATOR KILGARIN: Mr. President and colleagues, I would just like to say a few words. I will keep it very brief, but during the committee hearings I got very interested in a lien law. As a realtor I had had some experience with problems arising from our present law with customers of mine and it is really a sad, sad commentary on our system of justice to have someone pay for a house once and be very very happy and have lien waivers and they thought everything was all taken care of and they had an attorney look at it and they got title insurance, you know, and then turns around three months later, they find out that someone has a \$15,000 lien on their home. They have just put every single hard-earned penny into that home and now they have to come up with another \$15,000 or lose their house. It just seems so totally unfair to me that I really don't see how we have let this antiquated statute remain on our books for as long as it has. My father was a subcontractor for many many years, he was a roofer, and he worked for prime contractors and he roofed houses for many years and he had occasions twice where he worked for a contractor who didn't pay him for his work and he had occasion twice to file a lien and collect his money on homes that he had supplied material for and put the roof