

subcontractor, that little person in the construction industry without much assets. I have felt all along that there was a way of doing this, that we could give the consumer adequate protection in a simplified version and give him some real adequate protection without dumping that subcontractor and placing more responsibility within the bill back on that major contractor. I think we have done this in several ways. For one thing, we have made that contractor in instances where the major contractor has sometimes maybe skimmed the corporation and personally taken it out in an account, which is really fraudulent action but very difficult to prove on verbal transactions, we have made that contractor now personally, or the individual involved in the bill, personally responsible if he incurs damages on that subcontractor or a loss to him. We have given the consumer the ability with just any reasonable judgment whatsoever, and we have given him advice with the bill as to checking at the courthouse and absolute protection if he just uses a little bit of discretion in following the advice that is mandated in the bill. We have provided one thing that the original bill does not provide. We have provided attorney fees in the case of a frivolous or fraudulent lien action, which is something that I think has long time been overdue for the homeowners, for the people in this state, that somebody could maybe negotiate a higher settlement than the actual amount of cash due to get around the court proceedings where it would cost them attorney fees and put that edge of that lien law back on a reasonable basis by providing attorney fees in the case of a fraudulent or a frivolous action where the lien law can very easily or has been very easily and frequently abused across the state. I beg of you to look at this and read it. It is written in such a way that I know I can sit down and in a very few minutes understand the bill, and this is important in law because the people that obey the law have to understand the law. The original copy is so complex, it is going to force anyone that wants to go with a lien to hire an attorney to set them up with that lien. We have a reasonable version here that is simple, readable and effective. I am very pleased to have this chance to vote for an amendment that does not dump the consumer and does not dump that subcontractor that we need in competition in the home building industry...the young man that is starting out with maybe a set of tools and needs the lien law to procure the supplies from the supplier to carry him through with assurance he can pay back that supplier. The original bill does not hurt the contractor who has significant assets. The man with the 100...200,000 or more assets is not hurt by that green copy. You can abolish the lien law and it doesn't hurt him a bit. He will carry it on cash transactions, but if we pass the original copy, we are destroying many of the subcontractors