

the debate is about with regard to this particular amendment in the sense that I think Senator Nelson has otherwise covered this situation pretty well in the provision that provides for the discontinuation of services in the event that...in the event that there is a breach of contract and the discontinuance of payment then is a legitimate reaction on the part of the purchaser of the services. So it strikes me that maybe Section 17 is unnecessary. On the other hand, I don't see in the bill where prepayment in terms of facilities that already exist, prepayment of long-term contracts is covered under the bill, and it seems to me that maybe we should think in terms of doing away with 17 but working with the escrow section a little bit more to cover prepayments on these extended contracts in situations where the facility has already been built and the owners are looking for long-term contracts. So I think this can all be worked out in a very reasonable fashion but, darn it, I'd sure suggest to you that you keep this bill moving right along and make people sit down at the table, because some bad things have happened in this area and they ought to know that we are all concerned about it. Thank you.

SPEAKER BAACK: Thank you, Senator Beutler. Senator Nelson.

SENATOR NELSON: Yes, Senator Ashford was under the impression that you could cancel this contract anytime you want to. There is nothing in there that if I decide to change my mind five years down the road, unless I am physically disabled, or they move, or a very good reason, well, the purchaser dies, but just to say that I purchased a lifetime contract and then I can maybe five or ten years down the road, or whatever the duration may be, that I can cancel it. You cannot. And if any of you have had experience, these contracts are usually immediately taken to financial institutions. I will name you one. Douglas County Bank had a contract, a camping contract, an elderly couple. They were sold in it one night, they tried to change the next morning, that's the same way as the college girl here. She found she could not cancel the contract. After people sit down to think and read, sometimes there is extremely high pressure to sell them, and once that contract is sold to a financial institution, the exercise or the club has...they have relinquished the financing on that, and you just go try and get back the money. In this one case, I can call another case where actually the people, and very elderly, had a lien put on their house and they were down to absolutely no groceries, and that is not necessarily...they usually don't but that is why it has to