

know. All right, in the third part then of the three part amendment really has to do with what the remedies are for failure to make the statement and I wanted to make it clear that the failure to give the notice to the buyers or the notices to the sellers was not going to have the effect of clouding the title on the real estate. So that if a mistake was made inadvertently, you may go after the real estate agent's license or you may do whatever else is permitted under the bill, but you cannot go back to the people to whom the property was transferred and say, hey, I want it back, or, hey, this deal is off, or, hey, you don't have good title. The title is clear. This makes it clear that regardless of what happens, regardless of whether the provisions of this bill are followed or not, the title to the property is going to remain clear and as I understand it, Senator Higgins never did intend to cloud title to the property. So those are parts one, two and three of the amendment and I would be glad to answer questions.

PRESIDENT: Senator Higgins, you are recognized.

SENATOR HIGGINS: Thank you, Mr. President. Senator Beutler, in my original bill, as you know, I did not include homeowner. The reason I added homeowner to the bill was because three or four weeks ago the Nebraska Association of Realtors insisted that they be put in the bill or, as I was told by their representative, they would kill the bill. But I agree with Senator Beutler, the homeowner is not licensed, he is not professional, but moreover, over the weekend having thought this through even more, the homeowner doesn't care who you buy your title insurance from, who you buy your homeowner's insurance from, who you have do the termite inspection such as a real estate agent might care, especially when they own their own insurance agencies or perhaps they have their own special termite inspectors that they use. So I certainly would accept that part of your amendment, Senator Beutler. I agree with you, the homeowner should not be held as responsible as someone who has been trained and licensed and regulated and besides that, the largest majority of homeowners who even attempt to sell their own home, less than 1 percent or 2 percent of them are ever successful and they end up going to a real estate agent anyway. Adding developer, I kept developer out of the original bill because it was my understanding at the time that developers were already licensed real estate agents or that they went through licensed real estate agent and also