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asked of me, rather than Senator Carpenter, is that alright Senator Carstens, if I answer your question? Senator Carpenter's amendment does contain this, but for your information Senator Carsten, there was never anything in this bill eliminated, the attorneys from doing their work for a legal fee. This was always in here and has always been in the real estate law that an attorney could do any of the work necessary in real estate for a legal fee.

SPEAKER: I believe Senator Fellman has a comment on that.

SENATOR FELLMAN: Will you yield to a question?

SENATOR DUIS: Yes.

SENATOR FELLMAN: Under the existing laws I understand that Section 81-872 which is persons, when the present act is not applicable, there is a specific exception removing lawyers rendering services as an attorney.

SENATOR DUIS: That is correct.

SENATOR FELLMAN: Is this carried over in the bill?

SENATOR DUIS: It is not necessary to carry it over in the bill because they still have the right to represent them for a legal fee, they do not have a right to charge a commission on top of the legal fee, they never have had, but some have been doing it.

SENATOR FELLMAN: Well would you object to an amendment continuing this language accepting which, making it a general exception?

SENATOR DUIS: I think that if you will listen to Senator Carpenter's amendment it does contain this language, the thing here is if an attorney desires to sell real estate for a commission in addition to his fee, he should take the examination which a lot of them have, and they have real estate broker's licenses. We have no objection to attorneys having a real estate brokers license and collecting say five percent when they sell somebody's property, but we just don't feel as though that they should misinterpret the law to the extent that they exercise the right of a real estate broker without a proper license. Now there is nothing in here to prevent them from collecting their regular legal fee for representing their client in a real estate transaction.

SPEAKER: Senator Carstens, then Senator Waldron.

SENATOR CARSTENS: I don't understand, I think we are playing on words here, if I would happen to sell a piece of real estate, which I have done, and in, for example in an estate that belongs to five or six, or two or three or ten heirs, they want me to sell this real estate and they ask me how much it will cost to do so, and I give them, tell them, I can tell them that in the multiplication of a percentage and say for example if it is ten thousand dollars, one percent would be one hundred dollars. Now we can call it a commission or a fee I don't know which, but at any way we get no where, the fact is that, I believe as the bill is now, it seriously hampers the orderly transactions that are normally handled in the course of business and I don't see that it's any competition with the real estate brokers.

SPEAKER: Senator Waldron.

SENATOR WALDRON: Mr. President and members of the legislature, I would hope we would hold this over one day to print Senator Carpenter's amendment which I think Senator Carpenter's amendment does exactly what Senator Carstens want to do and does what