

February 18, 1974

SENATOR WHITNEY: Mr. President, that is 755 isn't it?

PRESIDENT: 755, I'm sorry did I say 755.

SENATOR WHITNEY: I want to support Senator Carstens in this motion. To place this on General File not withstanding the action of the committee. I've had several letters from attorneys in my legislative district on this, and they want some improvement and they feel that 755 would do the job. And that 354 would not do the job. And so I feel that it should be brought up before us.

PRESIDENT: Any further discussion of the motion. Now Senator Cavanaugh, your light is still on, and I can't tell if you are through or not. Senator Luedtke do you want to be heard on the motion? Excuse me, Senator Cavanaugh did you want to be heard again?.

SENATOR CAVANAUGH: I thought I should probably make a comment since they asked some questions. I think I'll support Senator Carstens in raising the bill. I think at the present time I prefer the uniform Probate Code, but I think that we should give Senator Carstens an opportunity to discuss the alternative to that on the floor. So I'll support his motion to raise it.

PRESIDENT: Thank you, Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I just want to say in reply to what Senator Duis said. Anytime you pass a comprehensive law in this body. This is, there's never been anything to the contrary, you have always had to come back and remedy some of portions of it which were not taken care of in the comprehensive treatment. There is no perfect law. Particularly when you have a comprehensive bill. There has been no major change in the Court Reform Bill since we passed it. And there probably would be none in this one, except that you certainly..I certainly would be the last one to say that you wouldn't be amending the bills for the next ten years. We did it with the Uniform Commercial Code, we did it with the Corporation..the Uniform Corporation Acts. We've done it with every uniform code that we have ever passed. This is because things change. Laws change. And in order to keep it in form, you have to keep making changes.

PRESIDENT: Senator Duis.

SENATOR DUIS: Well, Senator Luedtke, I certainly agree with you. My question this time is, should I go and reverse my self from the other time of the Court Reform, because the problems that I get with the Court Reform Bill does not come from the general public, it comes from your very professions. Your law profession and Judicial branch of the government. They are the ones that are talking to me about it, and so consequently what I'm hearing on the probate comes from the Attorney Profession and also from some of the people who are in the Judicial branch of government and then the people who are affected by the bill, which is the general public. Most of those who are Senior Citizens and such as that are all for this bill. But frankly, they have no idea at all what's in it, and it has amendments that are volumes and I've sent these to people who should study them and they come back to me and they say. This is so complicated, and this has so many changes that be sure and take a good look at it. What I'm saying Senator Luedtke, I'd like to take a good look at this and