

March 7, 1974

Judges you might ask yourself why are so many of the county judges who work daily in this field, why are they for this act and they are. Because of the comprehensive nature of this study by the Nebraska Legislature and the judiciary committee and by a special bar a special Nebraska Bar Assoc. Committee headed by Judge Troyer, I would say to you that there has never been another act so carefully, or so completely researched and studied by the Nebraska Legislature. For example, when Senator Duis asked and he certainly had the right, and I agree to ask for a section by section analysis six months ago the judiciary committee after a tremendous job of research put out the working papers and the preliminary interim study report of the Nebraska Probate Code, this orange book which was mailed out to each and every one of you which took out a section by section analysis with annotations of this bill to the statutes of Nebraska and to the uniform probate code as proposed. So we have had this for six months to study and consider. There was also an interim study committee which took this up on courts back in 1969 and back in 1970. The 1973 legislature introduced, and the committee hearing was held. There were then in the interim, in the interest of having more study and more careful attention to this tremendous act which involved so many changes, we decided to hold it over another year until 1974 and the Judiciary Committee went out throughout the state of Nebraska. We held public hearings in Scottsbluff and North Platte, Grand Island, Omaha and in Lincoln. We then came back into this 1974 session and held another public hearing. That was about seven public hearings. We held another one here and then we put the bill out on the floor. Six months ago we put out the working paper for your help. Yesterday I passed out this booklet which gives you some letters some comments which we have received since we have put out the working papers. The Nebraska Bar committee Judge Troyer which adopted the various amendments worked hundreds and thousands of hours and I have never seen and I have got to give tribute to this committee and the Nebraska Bar for having done the most terrific job that I have ever seen to get a bill analyzed and I might add that this committee was made up of not only those who are in favor of LB354. But there were people on it who were opposed to 354. It was truly a working committee. One of the members, in fact the first chairman of the committee to oppose this bill is Ivan Blevins from Seward is now in favor of this act as a result of his intensive research and study and a letter from Ivan Blevins is in the book which I handed out to you yesterday. Now in the few minutes I have left. Mr. Chairman how much time do I have left?

SENATOR SNYDER, PRESIDENT: Honestly, a minute and a half.

SENATOR LUEDTKE: Well I will take up some of the highpoints. Some of the better features of LB354. Obviously you could never cover under a...a...even a section by section analysis you could never cover all of the highpoints of this bill in the time allotted. It took a three day seminar to just go through the bill and then a...a..Denver University a couple of years ago that I attended. But some of them are this. Every state has a law which has a built in estate plan if you don't have a will. This is one of the things that concerns lawyers and concerns everybody in the state of Nebraska. If no will is made, how do current inheritance laws, how do the laws apply to a widow for example with two children. Today in Nebraska if a widow is left with two children and lets say that there is \$36,000 in that estate, she gets \$12,000 and the \$24,000 is