

March 7, 1974

written to me, don't want the bill. And I have a long time friend who has been in this business. He doesn't want the bill. He thinks it's a crazy bill, the craziest thing he ever heard of. That's what he said in the letter. Well, who am I to believe? And I would have to sit down and study for two weeks on this bill to know what's in it. But I feel what should be done here is that the present law should be written and then this bill would change the present law so that you could put two columns on about a hundred sheets of paper and so that you could make the right comparisons and I feel this is what should be done. So that we can understand it. Senator Luedtke says it's already been done, I haven't seen it. Okay, thank you, Senator Luedtke, I'll read the material that you have.

PRESIDENT: Senator Nore and Fred Carstens, would you turn your lights off, please. Did you want to speak again? Well, I'll have to put you at the bottom of the list. You'll be about number three. Senator Schmit and then Senator Kelly.

SENATOR SCHMIT: Mr. President and members of the Legislature. This is a very complicated piece of legislation and I think that perhaps we have two of the most qualified members of the Legislature and two of the members that I have the most respect for on opposing sides. I think Senator Luedtke and his committee have no doubt spent many, many hours on this and, of course, Senator Carstens is a member of that committee and one who, or if he's not has been, and I think that he has no doubt researched this bill more thoroughly than any of us. I want to point out, an issue has been raised here many times, that we perhaps may not be completely familiar with the bill, and that is true in some instances. But I have had perhaps more communication over the last two or three years on this type of legislation than on any other one particular thing. I admit some of it was perhaps precipitated by newspaper articles. One of those articles was an article in the Readers Digest, I believe. Another was in Parade Magazine. But these articles do stimulate the public to think and one of the comments we heard repeatedly was that there ought to be something done about the probate system. Now, just what should we done very few people recommended anything or had any specific recommendations. But there were, there were these points that were raised from time to time and I have in my files specific incidents of what were considered to be exorbitant charges in the probate of estates and extremely length delays in the probate of estates. Now, the question then that comes to mind in the introduction and discussion of LB354 is, will this bill if it becomes law put a stop to some of these practices? I think we have to ask that question of ourselves. First we have to satisfy ourselves that there were unnecessary delays and exorbitant charges. If we think this is true, then we need to satisfy ourselves if we think this bill will meet some of those objections.

(End of Belt #8)

(Begin Belt #9)

I think that I have perhaps in my district as many fine lawyers as any member of this Body and they are somewhat divided. This morning I received a letter from an attorney, a man whom I've