

March 7, 1974

SENATOR CARSTENS: Senator Carpenter, you are asking me to do something that I cannot compromise with in justice. I cannot do this. People in this state are entitled to know what is in this bill, and in the limited little bit of way that I have of doing it I have no high powered staff. I have nothing to go for me. I have no money to spend on it. I cannot operate, and I think there are aspects in this bill that are tremendously far reaching and I think that people ought to know about it, and I'm not trying to be ...to obstruct anything. I'm in favor of a sound probate reform. I honestly am. I have worked for it. I do not belong to anybody. And regardless of what has been said here on the floor this morning about fee schedules etc, I have not abided by a bar association fee schedule for five years. I'm not governed by this. I'm my own man. But nevertheless there are aspects in this thing in the matter of guardianship and conservatorship, the powers granted to guardians and conservators that are absolutely far reaching that just don't understand, and people ought to know about it.

SENATOR CARPENTER: Well, the people are not going to know about it. Nobody is going to know about it except you lawyers. We can talk here until doomsday, but people in a collective sense are not going to understand what we are talking about. Well all I'm saying is we've got a lot of bills up there, and this bill will not be affective until 1977. Almost three years. Now why should we take a lot of time, and I'm not...I'm just making a suggestion, when we can move this thing over and put it on Select File and discuss it again there, or on Final Reading you move to kill it any point if you want to. I don't see where we are going to forget about what we talked about the area in where you have the interest and the other people. I'm only trying to expedite the bill. I was on the committee which heard the bill. And I would almost vote for the bill

(End Belt #1)

(Start Belt #2)

in any form. Because obviously it's something that nobody's got the complete answer to. It's a matter of trial and error in order to see what we've done. That's the only way we can prove these things. By us discussing here, like in a Court room is not going to prove a thing. And as far as the people are concerned, if that's your concern. The people will not know any more about it today than they will if we discuss it for the next seven days. The people are not adopting this bill. They are not asking for it. We are.

PRESIDENT: Senator DeCamp do you want to speak on this amendment?

SENATOR DECAMP: I do have a question of Senator Carstens, and Senator Carpenter touched on it, but I think this bill is so important that I would like a very firm answer. Let us assume that those who have worked hard on the bill and do want the bill do along with 1977. This would provide I think three times