

January 11, 1980

LB 306

CLERK: (Read roll call vote found on page 206 of the Legislative Journal.) 17 ayes, 24 nays on the motion to indefinitely postpone, Mr. President.

PRESIDENT: Motion fails. Any more amendments or anything on the desk?

CLERK: I have nothing further on the bill, Mr. President.

PRESIDENT: All right, Senator Beutler, what do you wish to do with the bill?

SENATOR BEUTLER: I would move the bill be advanced, Mr. President.

PRESIDENT: All right, motion to advance to E & R. Senator Fowler, did you wish to speak to the advancement now?

SENATOR FOWLER: Yes. I rise to oppose Senator Beutler's effort to advance this bill. The discussion has been interesting this morning and I am going to take some of my next paycheck and see if the Law School will give me a little credit if I pay the tuition for the discussion. It has been illuminating to a point but it has probably been more confusing to a further point. I think we are talking about something here and we may be talking about some rare circumstances at times. We are talking about things that are very very important to people. We are talking about ownership of property, transfer of property, things for which there has been a longstanding legal tradition built up as to how property should be handled on death and how it should be divided and how debt should be handled and I would think that there are a number of people who maybe felt we shouldn't kill this bill but have in their minds some real doubts as to its impact and I think when we deal with these areas we must have a certain confidence that we know what we are doing and not just say, well I think it is okay. I think this is an area of law that should not be changed hastily and I would hope that those of you who have doubts about the bill, who felt that maybe it would be premature to kill it, would also maintain those doubts and say that it is premature to advance it. We are at the start of a sixty day session. I don't think there is a hurry on this bill. The interim passed and people seemed to survive. Banks are still standing. They haven't collapsed. There doesn't seem any problems in getting loans because of this law so I don't think we are in a panic situation on this. I think we have time to get other perspectives and other information. So I would suggest that, although perhaps in other situations we could bracket this bill, that is not really a