

That would be initially a very foolish proposition and yet that seems to be what we argue. I question the need that brought this whole thing about, and I would ask Senator Fowler a question if I may.

PRESIDENT: Senator Fowler, will you respond?

SENATOR MURPHY: Never do I joke, Senator Fowler. Senator Fowler, one of the provisions of the probate code that was rather extensive and different was the augmented estate. Could you tell me just briefly what the augmented estate provision of the probate code is?

SENATOR FOWLER: Senator Murphy, I am sure at the time I knew but it slipped my mind right now.

SENATOR MURPHY: Ahhh. Oh, I thought I heard you say that the Judiciary Committee understood and knew and realized and this body read and understood and realized precisely what we did, and that there were no errors in the code, even though we have amended the thing repeatedly. So, so much for the perfection of what happened when that clause was adopted because it was adopted as an oversight.

SENATOR FOWLER: Senator Murphy, if I may, when I said what I said, I felt the Judiciary Committee did know and understand and that they made available to us the information. I think I did say and I would say now that not everybody may have apprised themselves of what was provided to us by the Judiciary Committee. But I believe that such people as Senator Carsten, Senator Chambers, Senator Barnett, Senator Luedtke...I can't remember who all else was on the committee at that time, but they had hearings across the state, that they were briefed, that they visited. I do believe the Judiciary Committee did know. I was not a member of that committee. They did undertake printing for us a book of the changes with notations under each of them, and they made the information available to us. Not all of us may have read it as extensively. Myself, I consulted with John Gradwohl at the University of Nebraska Law College for background on the probate code, as well as receiving information from other attorneys. I did not say, and I would not claim that everybody in this Legislature knew everything in that bill because all of us know that we don't know everything that is going on.

SENATOR MURPHY: Good, I accept your avoidance of the answer of the question. They may have gotten your appendix, Senator, but they did not get your gall. That's ala Senator Kennedy... I hate to steal lines like that. But I do believe that this