

January 30, 1980

LB 306

PRESIDENT: The motion carries. Debate ceases. Senator Beutler, you may close on your amendment.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I have no closing. I think we have heard all the arguments. Thank you.

PRESIDENT: All right, the question is the adoption of the Beutler amendment. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 29 ayes, 0 nays on adoption of the Beutler amendment, Mr. President.

PRESIDENT: The motion carries. The Beutler amendment is adopted. Motion on the desk.

CLERK: Mr. President, Senator Chambers now moves to amend LB 306. (Read Chambers' amendment as found on page 470 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is amending the committee amendment, and the committee amendment I am talking about is the sheet which runs from lines 2 through 23 in number, and after the word "death" on line 13 would be language to deal with the situation which Senator DeCamp indicated probably does exist under this bill, and that situation would be that with 306 lacking the amendment that I am offering, creditors would receive rights when a person dies which do not exist while the person is alive. All that the amendment says, and there is no trickery in the language, that no creditor would have rights after the death of the decedent than the creditor had before the death of the decedent, and remember, what we are talking about in 306 is an interest that the decedent may have in this property. I don't know that I need to say anything else about the amendment because I think the language is so clear and simple that to read it is to understand it. If the intent of 306 is not to give the creditors rights against the property which they did not have while the decedent was alive, this amendment should be accepted.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Well, I guess there is a certain logic to the amendment if everything else is correct. In other words, we are only giving, as I understand it from the sponsors, we