

March 12, 1980

LB 308, 694

RECESS

SPEAKER MARVEL: Has everybody recorded? Okay, record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Okay, there is an item on the Clerk's desk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 308 and find the same correctly engrossed, (Signed) Senator Wesely, Chairman.

SPEAKER MARVEL: Item #8.

CLERK: Mr. President, LB 694 was introduced by the Judiciary Committee and signed by its members. (Read title.) The bill was first read on January 10 of this year. It was referred to Judiciary. The bill was advanced to General File. I have committee amendments pending by Senator Nichol's Judiciary Committee.

SPEAKER MARVEL: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Speaker, members of the Legislature, LB 694 contains amendments to the Nebraska Probate Code. The bill is an outgrowth of an interim study resolution #97. The committee amendments do three things. First, the first amendment is purely clerical and amends subsection (d) of Section 8 to better reflect the desired intent. Two, this amendment deletes surplus language on notification to the Register of Deeds by the county judge informing the Register of Deeds when a final decree of probate has been entered. This notification already goes to the Register of Deeds and this language will not affect the present notice to the Register of Deeds. Thirdly, this amendment increases the elective share of the surviving spouse from the current one-third to one-half. This makes the elective's share consistent with the share which the spouse may receive if one died without a will. This will allow more flexibility in the post mortem estate planning for tax purposes, may be more beneficial. I move for the adoption of the committee amendments.

SPEAKER MARVEL: The motion is the adoption of the Judiciary Committee amendments. All those in favor vote aye, opposed vote no. We are voting on the adoption of the Judiciary Committee amendments to LB 694 which is special order under item #8. Record the vote.

8277