

should a lawyer who is preparing a will then benefit himself through that preparation is a question that I think all of us laymen and lawyers alike can answer with a response, no, that is not proper and that is what this amendment deals with. It should be attached to the bill. It is appropriate and I think it is timely considering the situation we are under in this state and the future with increasing land values and the values of those farm entities in this state that are in the potential of being abused through this lawyer-client privilege. My feeling is that this is a good amendment and I certainly urge your support.

SPEAKER MARVEL: The motion before the House is the adoption of the Wesely amendment to LB 694. All those in favor vote aye, opposed vote no. Have you all voted? We are voting on the Wesely amendment to 694. Have you all voted? Okay, Senator Wesely, do you call for the...? Record, Mr. Clerk.

CLERK: 9 ayes, 22 nays on the motion to adopt, Mr. President.

SPEAKER MARVEL: The amendment fails. Are there other amendments to the bill?

CLERK: I have nothing further.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, LB 694 is a direct result of an interim study #97. Since a Nebraska Probate Code has been in effect approximately three years the Judiciary Committee felt that an interim study concerning the effectiveness and a determination if changes should be made. Pursuant to this study public hearings were held in five cities across the state. We received input from attorneys in all five areas. The Nebraska State Bar Association became interested in our study from the beginning and was very helpful in seeking out opinions on the probate code. Letters were mailed to attorneys in the state by the Bar Association and input was requested in the State Bar Association bulletins. At the State Bar Association's annual meeting in Omaha last October the proposed amendments were discussed. The contents of LB 694 are those amendments which received the approval by the Bar Association at that meeting. The Judiciary Committee interim report which has been made available to you in the Legislature contains a section by section analysis of 694 with the comments outlining the need and intent of these proposed changes in the