

February 27, 1973

Senator Fellman and myself want to do, and that is make sure the attorneys can still represent their client in these areas. Now I think the way the original bill was drafted, the attorneys could not do this contrary to what Senator Duis might think, and I think that's the way it was drafted and I think it was intentionally drafted that way and that we need Senator Carpenter's amendment to clarify this.

SPEAKER: Senator Duis.

SENATOR DUIS: Mr. President, Senator Waldron you are absolutely incorrect in your statement. This was not drafted this way on purpose at all. Please keep that in mind and I resent the remark because this is not true. It was not drafted this way, I was with the office of the real estate commissioner and we talked about it expressly because we did not wish to eliminate attorneys in any way from a legal fee in which they were doing and if you will read Senator Carpenter's amendment which we have agreed to, it will contain exactly what your talking about. It will put it back in there even though we did not feel as though it needed to be there, but it's perfectly alright.

SPEAKER: Senator Nore.

SENATOR NORE: Mr. President, I'd like to ask Senator Duis a question if he will yield?

SPEAKER: Senator Duis.

SENATOR NORE: Really, this laws of this kind and bills of this kind are proposed laws, I've had no grounds for I'd say for half of the bills on this board up here, and to me I think that probably we are doing a legislating that's not necessary and most of my clients, not my clients but my constituents would be very happy if we went home, and what is the great ground swell for this outside of the outstate, real estate operators, what is the great ground swell for your proposal?

SENATOR DUIS: Senator Nore, seventy five hundred dollars was appropriated by this legislature last session in order to recodify this law, it was felt as though by the last legislature that the real estate commission needed a recodify the real estate law which they have done, and the major part of this bill is to prohibit and to take care of people in this state who unsuspectingly are victims of the out of Nebraska land corporations who are coming in here selling land to people in Arizona, Florida, and all over and they not having any right or recourse on these people or we having any control over them. I assure you that the majority part of this bill is for that purpose of protection of the people of the state of Nebraska against the out state land people who are coming in selling recreational and retirement places and taking people all over the country. It merely puts these people under the control of the legislature, of the real estate commission so that we can watch them more closely so the people of the state will not suffer.

SENATOR NORE: Then you would be in favor of cutting out the minority part of the bill.

SENATOR DUIS: Pardon.

SENATOR NORE: You talked about the majority part of this bill, probably concerning attorneys, can they have, can they still sell land, referee sale?

SENATOR DUIS: At referee sale the referee is appointed by a court.

SENATOR NORE: Yes, but can they still do that?