

That then results in a protracted court case. Now all this time the estate is open, mind you. All this time the estate has not been closed out because the executor or the administrator, as the case may be, is attempting to bring this property into the estate and there are other people out there waiting for the estate to be closed but it is not closed. Why? Because these actions take time. So maybe two years later there is a final determination concerning the contributions and as Senator Beutler pointed out, this bill does not define net contributions. This bill does not refer to the only place in the probate code that discusses net contributions. This bill relies on whatever the legal standards are for net contributions and I can guarantee you I don't know what the legal standards are for net contributions. In the meantime the estate runs. It stays open. Income tax returns have to be filed for the estate. Attorney fees have to be paid for the estate. The executor/administrator fees have to be paid for the estate and it is open and it is always unsettled. If you didn't have this law, that particular problem wouldn't be there to keep that estate running and the estate proceeding could take its normal course, which in some instances is going to be a long time and in some instances it is not going to be such a long time, but this kind of a law confounds estate proceedings and it will have the effect of tying up titles on property. It will have the effect of slowing down the devolution of property and basically it is a poor practice. Now my good friend Senator Kahle talked about the effect that the absence of this kind of provision could have on agricultural loans. Well we haven't had this provision since 1977, since January 1, 1977, and I haven't heard anybody complaining about the absence of this provision on agricultural loans. I suspect that the credit market will not be affected one iota by the absence or the presence of this provision. I don't think this is good social policy. A lot of the other reasons have been discussed. My point concerning the length of time of the estate proceedings is a novel point...

PRESIDENT: One minute, Senator Johnson.

SENATOR JOHNSON: I hope you take that into consideration and I would ask you to support Senator Chambers' motion to kill.

PRESIDENT: Before I proceed with the next speaker, the Chair takes this opportunity to introduce from Senator Wesely's district, some 50 seniors from Northeast High School here in Lincoln, Mel Berka, Sociology teacher. They are up here in the north balcony. Will you welcome them to the Legislature. Welcome. Next, the Chair recognizes Senator Pirsch.