

January 30, 1980

LB 306

PRESIDENT: If any of you want to speak on this amendment put up your hands so that I can, all right, Senator...I'll take you in that order then. Senator Schmit. Speaking to the Beutler amendment.

SENATOR SCHMIT: Mr. President and members of the Legislature, I think that Senator Beutler's amendment is like patching up a very leaky roof. It patches one small hole in the roof but it allows several other very bad leaks to continue to cause damage. I agree as Senator Johnson has pointed out that it perhaps may take care of that problem. It does not yet deal with a more serious problem that the entire bill addresses. I would like to just caution you before you tack on any so-called goodies onto this bill that it rides on through in highfalutin style that you recognize that sometimes when you do that, you wind up with a bunch of garbage. I would just like to point out for the record that on this floor no one defends business more often than I do. I would like to point out also that with the exception of a few of the chairmen of the banking committees, I think I have carried more bills for banks, right or wrong, good or bad, than most members of this body. I would like to point out also to my good friend, Senator Nichol, who said a lousy marriage should be no excuse for a lousy bill or something like that. A banker friend of mine said, I never made a bad loan in my life either but they got bad once in a while. The same way with a marriage. Many marriages that start out good do not remain that way. I would like to point out also that the banks have come to me several times when the elevator operators asked for what is called an agistor lien law which allows the elevator that provides the feed to livestock to have a prior claim on the livestock before the banker. They say, all we want the elevator to do is come to us and get a release, just sign a piece of paper...just sign a piece of paper and we will pay the...we will release from the proceeds to pay the feed. We just want to be informed. Well that is what we are trying to do here. We are trying to remove the element of surprise for the wife. I would just like to say this. Senator Beutler says that no one can be responsible for more than their contribution to the estate. I ask the question...who makes the decision? Who shall make the decision? The bank or the wife? The court, the attorneys...who do you suppose? I think we all know who will make that decision. The one who has the most clout is going to make the decision. I learned one thing very distinctly since serving in this body, and Senator Marsh I am sure does not consider me to be the most vocal supporter of hers on womens' rights, but I have supported and introduced in the past more bills dealing with the

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