

couple of brief remarks to renew my opposition to this particular bill. Over the last week I have had an attorney in Omaha who I respect greatly spend a substantial amount of time analyzing this particular bill. Now this attorney has been engaged in the estate and trust practice in Omaha for about ten years now and he went to one of the fine law schools in the country and he tells me that this bill as it is amended now is a technical mess. It is going to result in litigation and that there are technical problems with it which will no doubt have to be litigated. To give you one example of the kind of technical problem that he was particularly concerned with, the model probate code throughout uses a term "claims", uses a term "claims" on the estate which are to be adjudicated by the personal representative of the estate. This bill uses a term "debts" and "debts" has no meaning really in the Uniform Probate Code. It doesn't fit in with the context that this particular act is meant to amend. Furthermore, the bill was amended to state "debts contracted for in writing" which further confuses the issue and further makes the application of this bill more obscure, more difficult and more likely to result in litigation. Now previously I have argued against this bill on policy grounds on the merits of the policy that it purports to change and I think this body is familiar with Senator Schmit's, Senator Johnson's, Senator Marsh's and my strong disagreement with the policy that it purports. Now in addition to that I think it is important to know about these technical problems and for that reason I would join, for that reason as well I would join Senator DeCamp's suggestion that we study this bill before the Banking Committee the next summer if we do anything with it at all. Thank you, colleagues, and thank you, Mr. Speaker.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I never went to law school. I never discussed the bill with my banker. I never discussed it with an accountant but I think I can read the bill. I think I know what it is doing. I think Senator DeCamp has outlined it for us very well. I think that last week when, or the week before when the Chambers amendment went on the bill it was obvious that if that amendment stayed on there the bill was in serious trouble. I think the bill should not be advanced and I know that Senator Beutler feels deeply about it and he has worked a long while on it and I respect him for his efforts, but I believe that the bill would be an injustice and a particular injustice to women and I do not think it should be advanced and I ask you not to advance it.