

March 10, 1980

LB 814

consideration in the act and it doesn't speak in those kinds of nonproperty or nonmonetary terms, and that is all.

SENATOR CHAMBERS: I will stop now.

SPEAKER MARVEL: Okay. Senator DeCamp.

SENATOR DeCAMP: Question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? The question before the House is, shall debate cease? All those in favor vote aye, opposed no. We are voting on the motion to cease debate. Have you all voted? Record.

CLERK: 25 ayes, 7 nays to cease debate, Mr. President.

PRESIDENT: Okay, debate has ceased. The Chair recognizes Senator Beutler to close on his amendment. The motion is to return 814 to E & R for Engrossment. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I merely state again that this bill would create a situation which in some instances could allow a great injustice, and you may well say that this injustice will only happen very very infrequently. But I think you have to do one of two things when you consider this bill, or when you consider a bill like 306. You have to ask yourself generally, is it a fair principle of law that is being proposed? And if it is, I think you have to go ahead and adopt it, and if it is possible, if it is within the realm of possibility that in one or two instances an injustice may be done, well, unless you can reform the principle of law to take into account those instances, then I think you just have to say, that is the way it is. But I think you have to play it one way or another. I guess my basic feeling when I saw this bill is that people were not being consistent. On the one hand in 306 the same people that proposed this bill come up and say, oh look at this horrible example. The widow and the children may be out of the home, even though I have now offered an amendment to 306 to preclude that. And then they come back and propose this bill which equally allows a widow and children to be thrown out of a home in certain instances despite the fact that they may be completely innocent of the things that cause their home to be jeopardized. And it is interesting to hear the arguments that come up today...oh, there already is a homestead exemption, says Senator Johnson today, of \$4000 to protect her.

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