

SENATOR LUEDTKE: Not by will it is not correct. You can will or give her everything by the will just like you usually do, most wills are drafted that way now.

SENATOR FRED CARSTENS: Alright, then I will put it this way, I have \$100,000 in property and I give \$100,000 to my two children equally, leave my wife out, does she have to accept it?

SENATOR LUEDTKE: No.

SENATOR FRED CARSTENS: Then you are evading the question?

SENATOR LUEDTKE: By will. I am not evading the question, you said that if you made a will, and I am following you now, if you make a will that is not under section 24, that is under the will section, then you do not have to, your spouse would not have to accept it that is correct.

SENATOR FRED CARSTENS: I am trying to point out Senator Luedtke, I am trying to get this out and I am trying to get you to see this, that if I have \$100,000 in property that under subsection 3 of section 24, I have control over exactly \$25,000 to dispose of. That being the first \$35,000 exempt plus one half of the balance plus the \$5,000 homestead exemption plus the \$3,500 out of personal property exemption plus the widow's allowance that she may get in any allowance, \$500 a month, \$600, \$800 a month for one year. I can give \$25,000 worth of property without restrictions under this section, if I have \$100,000.

SENATOR LUEDTKE: Well that is good. That part is good.

SENATOR FRED CARSTENS: Is that correct?

SENATOR LUEDTKE: Now you are talking about some other matters, you are bringing all of the other things that can pass free and clear which is what we call homestead interest, succession interest, all the old dollar currencies things, that is different. I am with you on that.

PRESIDENT: Now gentlemen, may the Chair interrupt? I am going to rule that you have had your ten minutes Senator Carstens, and I realize the input that you two senators have on this issue, but nevertheless the rules call for a ten minute limit and all I will do is say that if somebody else wants to yield you more time, of course that will make it much easier for me. Senator Syas, for what reason do you rise?

SENATOR SYAS: I rise to help the situation out as reluctant as I am to suspend rules. I think these two bills are so very important that I ask for you to suspend the rules and let unlimited time in all debate take place.

PRESIDENT: Alright, you have heard the motion to suspend the rules to allow for unlimited debate, and I assume that well I guess your motion will just have to be on 354, that is the only bill that really is before us at this time.

SENATOR SYAS: Well I will make the same one on the other one because they are interrelated. I suppose that we have to suspend the rules first and then I have to move that unlimited debate, I imagine that is the way that I have to do it?

PRESIDENT: Alright, anyone else wishing to speak to the Syas motion? Senator Carpenter?

SENATOR CARPENTER: Mr. President, at first glance, I don't think this is a practical thing to do. Now I think that where they need