

amendment. Senator Chambers, you are next on the speaking order. Pardon, Senator Chambers. Amendment? Is your amendment to the Beutler amendment? All right. All right, separate amendment. Senator Chambers, did you wish to speak to the Beutler amendment then at this point. All right.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, it is difficult to consider any amendment without going into the bill itself, and since we have two experts on this bill in Senator Beutler and Senator Landis, I would like to ask Senator Landis a question, and while asking Senator Landis this question maybe we should consider suspending the rules saving Senator Beutler some shoe leather by letting whoever is out there in the rotunda come in here and speak at the microphone. I am being facetious, Senator Beutler. Now that Senator Landis is there, Senator Landis, most people take off their coat when they prepare for battle but you are putting yours on so I assume you are ready. Do you have the committee amendment before you? If not, I am going to read from it and you will accept what I say. "The beneficial interest of joint owners of property shall be in proportion to the net contributions of each joint owner". So this beneficial interest which is supposed to be the basis for the creditors going after whatever faults of the surviving joint tenant would be based on the beneficial interest of the decedent, and the beneficial interest in no case would be considered to be more than fifty percent of the total value of the property. So here is what I want to ask you, we are talking about contribution. Let us say that one spouse, and Senator Beutler wasn't able to answer this for me and that is why I am asking you, one spouse quit claims all interest in the property to the other spouse, then after it has been quit claimed from spouse A to spouse B, spouse B then places it into joint tenancy with right of survival.

SENATOR LANDIS: Um hmmm.

SENATOR CHAMBERS: Then spouse B is the one who has contributed everything to the tenancy.

SENATOR LANDIS: Um hmmm.

SENATOR CHAMBERS: Now, if spouse A accumulates debts and dies, spouse A would not have contributed anything to the marriage, would you agree with that?

SENATOR LANDIS: There would be, I think, at the time of probate of that interest, the potential to challenge that