

SENATOR BEUTLER: Well, you can claim against the estate, but if there are no assets of the estate that can be attached then you'll never get...payment will never be made. That is my question, if you cannot attach these proceeds then how does the wife, who has child support coming, how does she get payment?

SENATOR BEYER: You're the attorney, you'd know more about that than I would. But I would think...(interruption)

SENATOR BEUTLER: I'm telling you what I think my answer is, but I want to be sure that...(interruption)

SENATOR BEYER: We could claim against the estate...(interruption)

SPEAKER NICHOL: Excuse me, one at a time please, so we can get the record straight.

SENATOR BEYER: With a claim against the estate you would have a settlement to be made before this would be paid on the estate. The claim would be before this would be paid, would it not? Should be..

SENATOR BEUTLER: Well the estate would gather in all of the assets of the individual who had died, including their life insurance.

SENATOR BEYER: You have a certain number of days to file claims against the estate.

SENATOR BEUTLER: Uh huh.

SENATOR BEYER: And the insurance does not pay off on debt, it pays off at a later date to settle...

SENATOR BEUTLER: Well the estate will be held until the estate can collect all the assets of the estate. So they will wait until the insurance proceeds come in. But if they choose...if the insurance proceeds are the only asset of the estate, and they choose not to pay, then I'm not sure how you'd get payment?

SENATOR BEYER: Well I'd have to leave that to you because I wouldn't really be adverse to that situation, but I would