

January 30, 1980

LB 306

SENATOR BEUTLER: That would be covered, yes.

SENATOR CHAMBERS: Could a settlement like that grow out of a tort claim?

SENATOR BEUTLER: Well, a settlement is always possible on a tort claim, sure.

SENATOR CHAMBERS: Do you think that the amendment that you offered adequately covers the entire (interruption - inaudible) that was discussed?

PRESIDENT: About thirty seconds left on this dialogue.

SENATOR BEUTLER: I think that it does, Senator Chambers, but if you would like to offer something that you think better covers the situation I would be glad to accept it.

SENATOR CHAMBERS: Are you willing to hold the bill for that?

SENATOR BEUTLER: No, I am not.

SENATOR CHAMBERS: I didn't think so. I will speak again when we get to the bill.

PRESIDENT: Amendment on the desk.

CLERK: Mr. President, Senator Fowler moves to amend the Beutler amendment by adding after the word "writing" "by all joint tenants".

PRESIDENT: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, if Senator Beutler feels that somehow written concurrence is essential to somehow limit this, take care of the problem that Senator Johnson is talking about, then it seems to me that all parties, all joint tenants should have to sign that debt. That's all it says. Basically it says, if one person has to be required to sign, everybody does. If the property is held in joint tenancy, as I understand it, everybody has a share of it, and I think everybody should be consulted and advised and involved in decisions that relate back to that property. This is the principle that we have been debating, whether or not joint tenancy is in fact joint tenancy, whether all the parties have a share, or whether any individual has the right to sign away all of that or half of that, up to half of that, without even consulting the other people. Now, Senator Beutler has willing to concede that one person should