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LB 167

I pointed out this morning, in 1975 I amended a statute on child support that provided that interest be paid on delinquent child support payments. At that time the act called for nine percent on delinquent child support payments. At this time I am going to amend, I am proposing to amend the statute so that the interest rate will be concurrent with the rates of interest charged the taxpayer who doesn't pay his delinquent taxes. That is all the amendment does, Mr. President, and I move for its adoption and I will be glad to answer any questions.

SPEAKER MARVEL: Senator Vickers, your light is on.

SENATOR VICKERS: Mr. Speaker and members, I wonder if Senator Schmit would respond to a question please.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Yes, I will, Senator.

SENATOR VICKERS: I hesitate to do this with your voice in the condition it is, Senator Schmit, to have you talk any more than is necessary but I am curious as to whether or not this amendment would apply retroactively to those people that have fallen behind in their child support payments, if the increase in the interest that you are asking for here with this amendment would in fact go back to those people who perhaps hadn't paid their child support payments even back in 1975 that you were referring to?

SENATOR SCHMIT: As I see the amendment, Senator Vickers, anyone who has not paid his child support and is not current would be delinquent and the fourteen percent would be assessed retroactive.

SENATOR VICKERS: Okay, thank you very much, Senator Schmit. I rise to support Senator Schmit in this amendment. I think that is important that if we are talking about penalties on people that have not paid their taxes and are going to assess that penalty and assess it retroactively as this body has decided to do, we should, as a matter of public policy, include that interest to those people that have not paid their child support payments in defiance perhaps of court orders or various other things, and it also should be retroactive, if, in fact, taxes and the interest on taxes that are delinquent should be retroactive. So I do support Senator Schmit's amendment and urge the body to also support it.

SPEAKER MARVEL: The motion is the adoption of the Schmit