

not paying any child support. So she called and asked a very pointed question. She said, if my present husband has to support my child from my previous marriage, then why shouldn't the wife of my former husband do the same thing? So I think that that amendment of Senator Johnson's eliminating that section of LB 7 is wrong and I hope that we oppose Senator Johnson's amendment.

PRESIDENT: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, again just to give you some perspective. I think you could get by adopting Senator Johnson's amendment and not probably meet federal requirements. So it is not a question of meeting federal requirements in this case, but I am opposed to Senator Johnson's amendment and let me tell you why. I am in the title insurance business, I am also a lawyer, this let me tell you is a major loophole in the child support law. One of the major pieces of security that most people have, that you can rely upon to get child support payments in the event that they are not paid is their home or their residence. That is where most people, the average citizen, has most of his equity. Now if a person who owes child support remarries, they understand if they have talked to a lawyer, they usually understand that if they put that house in joint tenancy, if they sign on the mortgage together, that the child support lien is going to attach to that property. If the man who owes the child support is the owner of the new property, the child support lien is going to attach. So they say, what can we do to avoid this? And the lawyer tells them, don't put it in your name. Put it in your new wife's name. You can get by with the finance company because you can sign on to the mortgage and that satisfies them. But if your wife's name only is on there then the court is probably going to say the child support lien does not attach. Consequently, the security that is there in most cases is avoided by these people who are obviously seeking to avoid the attachment of that lien in most cases. That is the fact of the matter out there and that is the loophole and whether you want to close it or not is a matter for your judgment. However, I do want to mention that this amendment is limited in two different ways and I think that you should understand that it is limited. First of all, it only deals with property that is acquired subsequent to the remarriage. So we are not talking about second wife's property out there that she inherited, that