

SENATOR BEUTLER: Pardon me?

SENATOR HIGGINS: If the Attorney General says, we're swamped, we can't handle it, then what?

SENATOR BEUTLER: Well, then we would end up with a situation where the judge would have to appoint somebody to do it. But I think the county attorney would in that case have to do it because it is their statutory duty to do it, or the judge could appoint somebody, but it would be one of those two alternatives, I imagine.

SENATOR HIGGINS: I see.

SENATOR BEUTLER: Would you like me to ask for a division of the question along the lines you are discussing?

SENATOR HIGGINS: Quite frankly, Senator, I am not sure how this is going to affect everything in the bill.

SENATOR BEUTLER: Okay. I think the part relating to the Attorney General's Office will help the collection of child support a lot. The part having to do with the lien, in my personal opinion, will not help but it is objectionable to many people so...and to the Bar Association, so...

SENATOR HIGGINS: Well, I said to myself last week, I didn't think it was fair for a person who is doing their child support every month to have a lien on their property. The time to put the lien on is when they become delinquent. On the other hand, I understand that it is so difficult to keep track of these things unless it is part of the bill that the lien is there automatic. And as I suggested to Senator Johnson last week, perhaps an amendment that would say once a person was to sell their house that has one of these liens on it, all they need to do is go to the clerk of the district court, and if they are up on their child support and not delinquent, the clerk of the district court could issue an affidavit to that effect rather than have them go to the expense of going back in through the courts to get the lien removed. I don't think that is fair.

SENATOR BEUTLER: There are some technical problems with trying to draw that line.