

now by the clerks of our district court, then there is a lien on that property since the payment itself is not current. That is all the amendment does.

SPEAKER NICHOL: Senator Haberman, please, then Senator Beutler.

SENATOR HABERMAN: (No response.)

SPEAKER NICHOL: Senator Beutler. Senator Marsh.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, last time around Senator Johnson had some strong arguments. This time around I don't think his arguments are nearly as strong, and in fact you are going to be going backwards on child support if you adopt this. Basically, the law right now is whether you are delinquent or not, there is a lien on your property, and you have to come to the court to get that lien removed. Now the rationale behind that is basically this. If you have child support payments to make out into the future for a certain number of years, it is important to all those who are concerned, to the children in the end, obviously, that there be some assurances there, the best assurances possible, that there will be money there to make those payments as those payments come due, and for the average citizen of this country, the best security for those payments are the real estate that they own, their house, in most cases, and so this, if you leave the law the way it is, it forces people to come back to the court and it gives the judge an opportunity to look at the individual situation and say should I allow this real property which is easy to attach and easy to get to, should I allow that to be transformed into cash, cash that can be secreted, cash that can be buried, cash that can be put into a Swiss bank account, cash that may never be there to pay the child support in the future. If you change the law what can happen is this. Let's say a person has been a horse's you know what about child support for years, never paid on time, always been behind. He can suddenly think, hmm, now this commercial building that I own, I am going to figure out a way not to pay this child support even though I own this big commercial building. So what he does, he borrows a little money and brings his child support payments up to date so he is not delinquent under Senator Johnson's version of things, and then he sells the property, and then he takes the proceeds