

March 23, 1981

LB 167

amendment to 167. Senator Vard Johnson, your light went on.

SENATOR V. JOHNSON: Mr. Speaker, I have a couple of questions of Senator Schmit, if he would yield.

SPEAKER MARVEL: Senator Schmit.

SENATOR V. JOHNSON: My questions are really very simple, Senator Schmit. I quick like checked our statutes. A legal judgment right now will bear interest at the rate of twelve percent per annum. Under your bill, child support will bear interest at the rate of fourteen percent per annum because that is the amount that LB 167 calls for. Do you have any reason to distinguish the child support delinquent payment from any other judgment that is delinquent?

SENATOR SCHMIT: Senator, I think that it is obvious to many of us on this floor that we recognize the inability of a subdivision of government to operate unless there is some incentive to require the individual to pay those taxes that are due to them. I feel that there is definitely an incentive factor involved here and I think that from my point of view I think that it is justified.

SENATOR V. JOHNSON: The real question I have though is this, Senator Schmit. Assuming that this body decided that child support judgments alone would bear a delinquency rate of fourteen percent per annum, would you want all judgments to bear a delinquency rate of fourteen percent per annum?

SENATOR SCHMIT: I could be talked into that, Senator Johnson, I suppose if the body chose to go that way.

SENATOR V. JOHNSON: All right. Now let me ask one final question, do you think there is any rational basis that we can for distinguishing the unpaid child support lien from, say, the unpaid alimony lien or any other decretal award in terms of allowing one rate of interest for one unpaid judgment and a different rate of interest for child support judgments?

SENATOR SCHMIT: Just to be very honest with you, Senator Johnson, it has been very difficult for me to get anyone interested in the collection of any kind of those judgments and I am going to sort of try to whip one dog at a time. If I get that one in line, I will work on the other ones.

SENATOR V. JOHNSON: Well, I don't have any opposition to