

second half of the division. Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, just to reiterate what this particular division...what this particular part of the amendment does, the federal government requires in the same bill that the next time the Legislature convene, they change the loss as far as collection fees for individuals who have delinquent child support payments are concerned. The amendments which we make, make a couple of changes in the proposal as it was submitted from the Department of Welfare. First of all, in the initial draft, a 10% fee was assessed only against those non...only against the parent who did not, who was delinquent in the child support and if the family was a nonADC family. We made, the amendment changes that so that the collection fee, the 10% collection fee is applied irrespective of the fact that there is an ADC family involved so the 10% collection fee would apply across the board. That was done because we could see no logical reason the collection fee to be assessed in one situation and not in the other situation. The other change that we made was simply to change the word, ensure that they were delinquent child support payments that we were talking about rather than just child support payments that were due. That is just a minor wording change that I think clarified it. I would agree with Senator Schmit that what the federal government is telling us is simple. They are telling us that we will lose \$1.6 million dollars in this program if we fail to pass this bill. Admittedly this language is constitutionally suspect and probably is unconstitutional on due process grounds. Senator Schmit I think is absolutely correct. The federal government is trying to tell us to pass an unconstitutional bill or to lose \$1.6 million in federal funds and I agree with Senator Schmit that that is a ludicrous proposal but I also agree with the point made very eloquently by Chief Justice Krivosha yesterday that the \$1.6 million will probably be lost and if you don't believe what the federal government is telling us, just visit with a few of the 12,000 PATCO people who decided that the federal government wasn't serious when they talked to them. So I personally would urge you to adopt the amendment.

SENATOR CLARK: I would like to recognize Laura Olson from St. Paul as a guest of Senator Wagner. I think she is under the South balcony. Would you stand and be recognized, please. She's right back there in his seat. Also we have Ann Hardy Stratton sitting there with Senator Haberman. Welcome to the Legislature. Senator Haberman, for what purpose do you stand up? Because you don't have a place to sit down?

SENATOR HABERMAN: May I have a point of order, please?