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in a divorce suddenly the child loses out on postsecondary education.

SENATOR CUDABACK: Thank you, Senator Beutler and Senator Erdman. (Visitors introduced.) On with discussion of AM3500 to the committee amendments. Senator Smith.

SENATOR SMITH: Thank you, Mr. President and members. I do have a question for Senator Beutler, if he would be able to yield.

SENATOR CUDABACK: Is Senator Beutler available? Yes, he...

SENATOR BEUTLER: Yes, Senator.

SENATOR SMITH: Senator Beutler, I appreciate your intent of providing a means of education and so forth. My concern is for a judgment or a settlement that exists in a divorce decree where the noncustodial parent would...it's already agreed upon that the noncustodial parent would ultimately provide for college tuition probably through four years and not just two years or up to two years. How would that be affected? I mean, could we have duplicate? I mean, would someone...would a noncustodial parent be having to pay for tuition, room and board, and child support through those two...first two years of college?

SENATOR BEUTLER: Senator, I think, and I would have to yield to Senator Erdman here with respect to the scope of his amendment, but with respect to agreements entered into prior to the effective date of the bill, I think those may be unaffected in accordance with Senator Erdman's amendment. In any event, it's a decent and fair question and would need to be worked out depending on what Senator Erdman is planning with the bill generally. I suspect we're getting...we're on our way to making this, this whole discussion, somewhat moot, but a good question.

SENATOR SMITH: Okay. I do have a concern then with the current language, and notwithstanding the Erdman amendment, that a noncustodial parent could ultimately be responsible for paying child support and an already agreed-upon amount, that being college tuition, room and board. And certainly I think we need to be careful when we do that because each situation obviously