

February 19, 1975

SENATOR BARNETT: And I agree with you on your first part. There is no fiscal note on it so I...

SENATOR RASMUSSEN: Senator Barnett, is this bill in actuality a bill to get at the parents or is it to help the kids?

SENATOR BARNETT: I think you can answer that question yourself.

SENATOR RASMUSSEN: I think it is to get at the parents.

SENATOR BARNETT: You can take it the way you want. If you would have a child, yourself, just take for instance, your own child. Get's into some trouble and don't think it isn't possible because any kid can get in trouble today, as you know, and, if there is a possibility that the court would say, OK, Mr. Rasmussen, you make sure this child gets to school on time so he doesn't have these delinquency problems anymore and I will let him stay at home. I think it may be answered best by saying it is to get at both of them. You might assume it is the other way but I would hope that it would work in another direction, that it would help both of them, the parent and the child.

SENATOR RASMUSSEN: Well, we disagree but it isn't the first time.

SENATOR BARNETT: That's fine. I don't expect you to agree with me on everything because (inaudible).

SPEAKER: The chair recognizes Senator Marsh.

SENATOR MARSH: Mr. Speaker, LB 290 is designed to be used as a tool. A tool for the courts to enable them to better help a child and the child's parents. It is not designed to be anything more than one more tool to help us in the field of working with children who come into conflict. I urge you to pass 290 to Enrollment and Review.

SPEAKER: The chair recognizes Senator Cavanaugh.

SENATOR CAVANAUGH: I feel that I have to respond to Senator Luedtke because Senator Luedtke expresses surprise at my concerns over this bill and indicates that the courts can probably already do this but they certainly cannot already do this. This would, if you read the last line of...well read line 6, it says, require the parent, guardian, or custodian to, then you go down to number 7, cooperate in seeking and accepting, and I underline accepting with heavy red mark, medical and psychological diagnosis and treatment or family case work, or child guidance for himself, his family or the child. Now think of what kind of a power you are giving here. You've got a truant child who won't go to school so he is taken into juvenile court. All right, there is four other children in the family. The court finds out that the child who won't go to school doesn't go to school because he has certain educational problems and he has certain interaction problems with other members of the family, the other children of the family. Let's say they do very well in school and he does very poorly. Therefore, he seeks to avoid school and the other children in the family lord it over this child, who doesn't go to school because he doesn't do very well, therefore, he tries to avoid the situation. Ok, the court decides that these other children of the family need psychological counseling