

LB 29
March 20, 1973

with a widow might have to go to jail instead of paying a fine, I want to tell Senator Murphy this is not possible any more. We have an installment plan. In fact, this was required by an opinion of the United States Supreme Court and this Legislature was one of the first in the nation to enact an installment plan for payment of fine and if that judge in that town doesn't know about it, it's about time he learns about it that there is such a means of taking care of the situation. Now, Senator...I think it was Senator Duke Snyder said, well, the people have had it with the Courts with regards to leniency. That is true. They have had it up until the time that an attorney gets a call at 2 o'clock in the morning and one of these that have had it said, my son is down in jail for minor in possession. Now, he just happened to have a beer bottle in his hand and would you do something about it, and then it is all different. It all turns around. It is always somebody else's children until they come to you at 2 o'clock in the morning and say, do something for my child. Believe me, it's always this fear of the Courts doing something until it happens to your own. Now, do you believe...I think the question we must ask ourselves, do we believe in rehabilitation? Do we believe that we can do this now? If you believe that we can, that we have a rehabilitation system under probation, then we do not need this bill and we should vote to indefinitely postpone.

PRESIDENT: Motion before us is to indefinitely postpone. Senator Kelly.

SENATOR KELLY: Mr. President, members of the body, we need and desire and continually request input from the grass roots public into our deliberation. We have it in Senator Carsten's bill and I think we should recognize it and not postpone this bill, but pass it on into law. I believe if we would kill it at this time we are committing the sin of tokenism.

PRESIDENT: Senator Murphy, did you care to respond, again. Apparently, you...

SENATOR MURPHY: Yes, I'd like to ask Senator Luedtke a question.

PRESIDENT: Senator Luedtke, will you yield..

SENATOR MURPHY: How much less expensive is an installment fine than the original fine.

SENATOR LUEDTKE: It isn't less expensive but they work it out to meet the needs of the individual and, believe me, if you believe in making this young person realize what he or she has done, then you believe in making that individual work to do it in the right way, and this is why this installment fine plan is excellent. It, then, makes this person realize he has broken a law. That he must pay for it, and he pays it over a longer period of time. It's the same. There is no interest, if you want to know that.

PRESIDENT: All right. Senator Carsten, did you wish to be heard on the motion to indefinitely postpone here. Pardon me. OK. Senator Mahoney.

SENATOR MAHONEY: Mr. President, I hope that this Legislature this morning as we grow close to 12:00 Noon will not kill this bill. This is a good bill. This is a bill, and Senator Luedtke can shake his head over there at me but I say that in some of these areas we have what we call the "do-gooders" in this Legislature, and the "do-gooders" if they had their way, everybody would be on probation and running out on the streets. This is a bill that begins to put people who are to be punished into some of the projects that are needed in this