

March 6, 1974

Senator Schmit also provides that the employer would have to state by affidavit in order for the individual to retain his license for employment purposes, the employer would have to supply an affidavit to the Department of Motor Vehicles in order to permit the individual to retain his license even for employment purposes. I think the effect of that, the practical effect of that would be that many employers would find them bothered and harassed by such a circumstance and that the individual would probably end up losing his employment as a result of that intervention. Which would further complicate his ability to pursue income and make his proper payments. So I think it's a wholly unacceptable approach to the problem and I would prefer that we pursue Senator Fellman's and the Judiciary Committee's recommendations on this problem because I think they've taken a good deal more time than the Health Committee took in exploring the problem and have a greater ability to deal with it. So I will oppose the bill.

PRESIDENT: I have Senator Luedtke's light on up here first. Now, Senator Schmit, did you have a point of order? You've already spoken twice on this bill now.

SENATOR SCHMIT: Well, I think I would like, with Senator Luedtke's indulgence, to correct what Senator Cavanaugh has.....

PRESIDENT: I'll let you speak to a point of explanation.

SENATOR SCHMIT: All right, Senator Cavanaugh said the license is revoked. We have not under the bill revoked the license. We have only suspended the license. There's a considerable difference. The suspension is subject to certain qualifications and that is he can work to and from work or he can drive in the nature of his work. There is no impediment to employment none whatsoever. In fact, it may be an improvement in his ability to get to where he has to be when it's time to go to work.

PRESIDENT: Now, I have to allow Senator Luedtke to have the floor unless Senator Cavanaugh only has a point of explanation, that's all.

SENATOR CAVNAUGH: I concede that I may have misspoken myself with regard to revoking, it is suspension. The effect is the same for the period of the time of the suspension of the license and I still do believe what...would adversely affect the individual's employment.

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President and members of the Legislature. I would just like to say with regard to what Senator Kelly said. Certainly the members of the legal profession are as concerned about this problem as anybody in the State of Nebraska. And our Family Committee that I referred to, the Family Law Committee, has been working diligently in this area for a number of years. I might bring to your attention the fact that if an individual brings a contempt citation against someone who has not paid child support, there's very little doubt about what's going to happen to that individual. Now, I have never seen in the contempt citation, I have never seen someone who somewhere hasn't found the money when you bring contempt. So we do have presently in our bag of tools for enforcement of child support that of contempt. It is a