

March 6, 1974

SENATOR KELLY: Now, what have you or your committee recommended to this Body to see that that stops happening?

SENATOR LUEDTKE: Part of it was in LB1015 if you'll..... which is on....going across the board. LB1015 will help as much as anything, I think, to get to the bottom of this problem whether or not the money is actually getting to the child.

SENATOR KELLY: All right, right now that's your conclusion. Tell me how you reached that conclusion.

SENATOR LUEDTKE: By all the hearings we had and the fact that we deliberately structured this bill to get to the problem which is basically one of dispute. It's not all one-sided. It's a problem for the court to decide and whether or not the legal fees involved are not the question, it's a matter of who is right and you've got to decide. Only a judge is going to decide that.

SENATOR KELLY: If this is a question, shouldn't it be proper for your committee to have a reporting system back of how that money was spent and have that report come back into the court and you'd know.

SENATOR LUEDTKE: Yes, and we do that now.

SENATOR KELLY: I thought you said that you didn't know.

SENATOR LUEDTKE: We get....I said that we get the report and the District Clerk....the District Clerk's office but the question is whether or not the money was spent. It is paid to the Clerk of the District Court. It's distributed to the person who has the child but then the question is whether that money has gone for that child's use. If that person has used the money for their own welfare, for their own enjoyment and entertainment rather than for the child and the child is perhaps without clothes, is coming to school without proper nutrition.....We have cases to show you on this.

SENATOR KELLY: All right, my answer to you, Senator Luedtke, is shouldn't you and your ability and words put together words in the statute that cause that money that was paid in good faith by a parent to another parent, that's being squandered and not spent on those children, shouldn't you have some suggestions in here that would bring contempt against that person that will not take care of those children and they've been furnished the money?

SENATOR LUEDTKE: Nope. And LB1015.....

SENATOR KELLY: No, I don't think that's what you're going to do. I think you're going to say it's not working or workable. That we can't get this done. It's big problems and we've got to study it again. That's what I think you and your committee's going to do.

SENATOR LUEDTKE: Are you asking me a question or making a statement.

SENATOR KELLY: Now, I just lectured you then, sir, in case you didn't recognize it.