

March 6, 1974

PRESIDENT: It just takes a simple majority. Have you all voted? Clerk will record.

CLERK: 25 ayes, 4 nays, not not voting, 20.

PRESIDENT: The committee amendments are adopted. Now we're ready to talk on the bill as a whole. Senator Cavanaugh.

SENATOR CAVANAUGH: Mr. President and members of the Legislature. The discussion was fairly rational until Senator Lewis got up and began campaigning again. But it is a serious problem. But it's a problem you can get swept away with if you use the kind of rhetoric that Senator Lewis wants to employ on the issue. And I know that it's political oriented.....

PRESIDENT: Point of order. Please keep politics out of this.

SENATOR CAVANAUGH: I'm addressing to the comments that were made on the floor, Mr. President, and I would like to take politics out of politics as much as anybody but it's impossible. Senator Lewis says it's a serious problem and it is a serious problem and it should be dealt with seriously and the point here is that individuals who fail to pay child support do it for a great diversity of reasons, and circumstances. And that because of that, very often there is a much tragedy and hardship involved in these situations. So it's our obligation to enact legislation that can provide sufficient enforcement for proper obligations which people incur in the area of child support and at the same time not enact legislation. It's going to operate arbitrarily and capriciously and to the detriment of the goal which is children receiving support from their parents after a divorce proceeding. And the practical effect of this bill despite all the good intentions of its introducer and I do not accuse the introducer, Senator Schmit, of a political motivation. I know his disparity in the area and his devotion to finding a solution to this problem. But I honestly feel that this bill would not accomplish that and would in fact work to the detriment of improving child support payments because it would operate in very many cases, I would believe, as an unnecessary obstacle to the individual who is trying to earn an income and perhaps has very many different problems not related to a capricious desire to deprive his children of child support. But rather all those other human factors that intrude upon an individual's ability to provide what he properly probably and morally should provide but his abilities or circumstances he finds himself in prevents him from doing so. So we have to have laws that take cognizance of those situations and at the same time are enforceable to impose the obligations that are properly and reasonable calculated to demand the proper payment from the individuals who were able to make the payment. And this legislation simply does not do that and to resolve it down to political rhetoric, to accomplish the purpose, I think, is a dangerous thing for us to do.

PRESIDENT: I'm going to ask that everybody be as brief as possible. Senator Frank Lewis.

SENATOR FRANK LEWIS: First of all, Mr. Chairman, I would respond to that attack made on me by the red-headed college graduate, attorney-at-law esquire. Obviously, he