

March 11, 1974

SENATOR SYAS: This bill presents a real dilemma for me and I think it does for a lot of other senators. You see, I'm one of those individuals that knows that this situation should be tightened up so that the father should support his family. Yet I do have some reservations about the method used on punishment in this bill. Because the thought occurs to me that I think a year or two ago we, for instance, passed Senator Barnett's bill. There was something about a driver and if he got caught on something, he had to take drivers training or something like that or do something else. Well, I think a judge held that, a district judge, since it wasn't the opportunity, the same opportunity wasn't all over the state for the person that violated to take this test since this test wasn't available. That it was unconstitutional. Of course, this thing has never gone to the state Supreme Court but it does dovetail into this bill. Now, first let me say what is the matter with giving a job in behalf of these mothers that are deserted with families and allowing the.... requiring the county attorney to do this job for free at taxpayer's expense. It may cost some money to the taxpayer but generally the people that aren't paying is causing taxpayer money any how when we have to support fully and more so because the father isn't supporting his children. What's the matter, since the guy won't work anyhow, generally, and since he needs a good lesson, what's the matter with putting him in jail? He's no good to her anyhow, maybe that's still at taxpayer expense, but at least he gets, he receives the message, you know. About 30 days and you get a lot of messages when you're locked up and that's what some of these characters need. Now, the thing that worries about (me) about this bill and I think I'm like everyone else, I think Senator Marsh had a good example and that's one of them that's worrying me. The two fellows next door she put it. If you can do this for a non-violation of a motor vehicle, why couldn't you take his engineering license away from him or his electrician's license. Maybe you could even take his fishing license from him and that might really bring a lot of them to town. But I...I'm in a real dilemma. I want something done this session. I'm sympathetic towards Senator Schmit's bill. I have reservations as I say that it would stand up. I...I'm not sold on the method. I think that Senator Fellman is correct. I think Senator DeCamp is wrong on his analysis but that's just a matter because when a person stands on this floor and gets the debate between two lawyers, what...eventually comes out is confusion because they take opposite sides and that's the reason we have law cases, I guess. So today I'll have to explain my situation this way. I don't think I'll vote to kill the bill today. I'd like to see someone work something out on it even though I'm not....I could never vote on Final Reading. I don't believe the way the bill LB957 is now constructed. I'd hate to see it killed today, however, because maybe we can work...someone can come up with some bright ideas in here to work something out that would alleviate this situation and still help the mother. So, as I say, I'm, I'm..I really have a dilemma. I don't exactly know what to do. I want to help this mother and children, especially the children, and yet I'm not sold that this is the way to do it on. The way it's written, yet I want the opportunity to amend the bill but I can't think of a thing to make it constitutional or if there is a doubt or to make it so it will be helpful to the children of the state. And, as I say, maybe this....what I'd like to have a question before I, I'm going to sit down and ask a question. Why can't the county attorney, we give this county attorney job for free to help these mothers out. Why can't that be done that way? To Senator DeCamp, Fellman, or anyone that wants to answer.