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LB 19

SENATOR SCHMIT: But if the court has awarded custody to the mother, then that has been determined to be the case and I have no rights.

SPEAKER MARVEL: You have one minute.

SENATOR NEWELL: You have no rights in Nebraska but you could try to gain rights in Kansas or you would at least have some protection from Nebraska's statutory penalties if you were in Kansas or some other state.

SENATOR SCHMIT: Thank you, Senator Newell. If what you are telling me is true and I have no reason to believe it is not, then I would support your bill and think it is certainly an improvement over the present situation. I know that we have had instances where errant husbands have fled to other states to avoid the payment of child support. There has been some reciprocity laws enacted in that area and certainly the children should have as much right to protection as would a load of cattle, or in some cases, the right of the husband, perhaps, to escape the responsibility for paying child support. So I would certainly support the bill and hope that it would be advanced.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, Senator Schmit raised some good questions and there was a case called the Burris case as I recall and the U. S. Supreme Court ruled that no federal agency, courts, administrative agencies nor Congress may act in custody litigation and that is part of the problem, you don't get federal intervention. So as Senator Newell has correctly pointed out, first of all you have got to track them down and then you have got to go to the state, then you have got to spend a couple of grand in court trying to get jurisdiction and one thing after another. Now I strongly support the bill. I don't think the bill goes far enough but it is a base. It is a bedrock to start on. I first got interested in this child snatching thing about eight years ago and Senator Newell knows all about it. We have worked closely for several years on this. Now someone named Eugene Austin wrote me a letter and told me because he had read some bill I was sponsoring here that he hoped I got it passed and then he told me he was a child snatcher and he was going to be snatching some children in such and such a state at such and such a time and place. Well, I thought one more nut letter, you know, and didn't pay that much attention and then a little later I read in the headlines of the paper, I was out in San Diego on a legislative junket