

February 21, 1996 LB 1001

SENATOR CROSBY: Thank you, Senator Schimek. Senator Witek.

SENATOR WITEK: Thank you very much. Senator Schimek, I wonder if you could answer a question for me quick.

SENATOR CROSBY: Senator Schimek, will you yield for a question?

SENATOR SCHIMEK: Certainly.

SENATOR WITEK: Have you ever heard of the Parent's Rights for the Benefit of the Children? It's a group here in Nebraska.

SENATOR SCHIMEK: No, I haven't, Senator Witek.

SENATOR WITEK: Okay. I have no intention of slowing your bill down, but I was contacted late last night and I also have a fax from this group this morning, and they have grave concerns about your bill. They will be lobbying your bill heavily according to this group. They just became aware of it, I guess, recently and did not testify in opposition at the hearing, although they would have had they been aware of it at that time. Their point is...this is a...I'm not sure they're aware of the committee amendment, which I think may allay some of their fears, but they say that a presumption of this type will be the root cause of many family conflicts, assigning grandparents first chance at a child going into foster care will offer controlling, manipulating grandparents the upper hand in any future family conflicts. As you know, relative's complaints to DSS are taken more seriously than others. If grandma knows she will get Johnny if he is taken into foster care she will be many times more likely to file a complaint against her own child. Or even worse, in the common occurrence of family conflict during divorce and separation, this could very easily be used as a tool to obtain extra visitation for her own child. As you know, DSS is required to take all child abuse complaints seriously, and therefore this trick would have to work or DSS would be risking being sued for negligence in not responding to that complaint. So they do have serious concerns with your bill. I have no amendments or, or any way to slow it down other than talking it, and I will not do that this morning. But I just wanted you to know that these people have been in contact. They have grave concerns about this legislation and, to me, some legitimate concerns that we'll address before Select File. And I'm just sorry that a bill that seems to be somewhat more complicated