

February 25, 1981

LB 345

none of us particularly cares for the nonsupporting parent. On the other hand, it is a just amendment. We do not want to put our people in jail in this society without assuring them the rights to which they are constitutionally entitled. I would move this amendment.

**SPEAKER MARVEL:** Senator Schmit, do you wish to speak to the Johnson amendment?

**SENATOR SCHMIT:** Mr. President and members of the Legislature, I rise in strong opposition to the Johnson amendment notwithstanding the many articulate arguments that my colleague has presented in support of his idea. I think it has been evident to us all over the years that the area of the support or the collection of child support has been one of the most neglected areas of law enforcement that we have in this state, and it is very ironic that Senator Johnson would offer this amendment when according to the Douglas County records there is somewhere, and only the good Lord knows, between \$60 and \$100 million of uncollected child support in Douglas County alone. Now until we enacted...this Legislature enacted a series of bills which I introduced and some which the Judiciary Committee followed up on and introduced, the matter of child support collection just was totally neglected by county attorneys and every other individual who was supposed to be carrying out the law. The only way that we were able to get any kind of cooperation was by providing that those individuals who under contempt of court ignored the law would go to jail. Now it has been demonstrated many, many times and a number of our fine judges have demonstrated this that the nearer to jail an individual gets the greater his resources in regard to paying his child support, and usually about two inches from the jailhouse doors they find the resources to pay back child support. Now we have been talking about rights of children in many different areas on the floor of this Legislature, but if we are going to ignore the rights of children to be supported by those individuals who are their rightful natural fathers, then we are ignoring a most basic right. My heart doesn't exactly bleed, Senator Johnson, for the individual who is out of work. What about the mother of those children who has to feed those children? You can talk about right to counsel, you can talk about the Supreme Court and all of those other various arguments, but unless the individual who fathered the child supports that child, then the general taxpayer has to do it. There isn't any compelling argument, no reasonable person could possibly support this amendment and go back home and face their constituents with a straight face. I know that you can bleed all you