

March 5, 1982

LB 809

SPEAKER MARVEL: The rules as we understand them are at the end of in this case three minutes, that is the end of the bill, that is the end of the discussion.

SENATOR CHAMBERS: So then we don't necessarily get a vote on the motion anyway.

SPEAKER MARVEL: That's right.

SENATOR CHAMBERS: Tell me when I have 30 seconds, Mr. Chairman. I will do anything I can within the rules of the Legislature to stop these kinds of bills. A lot of times the Legislature and members of the Legislature will do things that are misleading to the public, then an attempt is to soft-pedal the very thing that supposedly is being done. And I think Senator Stoney has made it clear that he wants a mandatory 24-hour sentence. Senator Hefner, who just got through talking and said that his committee heard the bill, said, there doesn't have to be any sentence at all, that there can just be a fine. So if you find that judges are putting these children on probation anyway and you still allow that loophole, what do you do by passing a sham like this? If you believe in the mandatory sentence, say it forthrightly like Senator Stoney did. I know what he is trying to do, and that is what I am opposed to. But I am also opposed to the legislative strategy which is developing maybe by those who have to run for reelection or are seeking higher office to give the impression that they are doing something which, as a matter of fact, they are not doing at all. I am going to take Senator Hefner at his word and say that a fine can be levied. So I guess if a child has some means and his or her parents can up the money, that child pays a fine and is out. If on the other hand a child does not have the means and his or her parents do not have the means, that child serves 24 hours in jail. So again we are dealing with a type of class legislation based on the income standing of the one who is accused. If the Legislature establishes crimes and punishments, the punishments should not be established with the idea in view that certain people based on whose child they are or what kind of means they have, will be exempt from the truly harsh parts of the penalty. So the bill is not good on any count. As a mandatory sentence, I am opposed to it. Mr....yes, is the time up? Mr. Chairman, I don't want to go over the three minutes. If the time is up, I will stop. I have twenty seconds, so what I will say is that if anybody who is going to have a birthday between now and Monday when we come back, I would like to wish you a happy birthday, many happy returns of the day. Thank you.

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