

somewhere along the line they might be able to get some visitation.

SENATOR DAY: That's right.

SENATOR BERNARD-STEVENS: Okay. And do you think that is a level playing field for the noncustodial parent?

SENATOR DAY: Yes, I do because there is another side to that. I received a letter from my district where the woman is allowing visitation and the noncustodial is over a year behind in child support. Should she deny visitation?

SENATOR BERNARD-STEVENS: Senator Day, you can bring up any example you want and I'll bring up a counter example on the other side so that doesn't do us any good.

PRESIDENT ROBAK: Time. Thank you, Senator Bernard-Stevens. Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President and members, I want to just go on record as explaining my vote. I'm not going to vote to advance the bill and I've got a, I think as drafted and in I guess compromising this out or whatever, I think we've very closely got half a baby in there when we cut it in half because I think it's a system that is although well intentioned, I think does not accomplish anything other than raising the hopes later to be dashed of noncustodial parents. And so I think it's gotten into bad shape because of that. I think there is going to be a cost associated with that. The referee system I don't believe can use the referee system as it relates to visitation now in the bill, I don't believe can use the federal funding. I believe the federal funding excludes visitation which means that cost is going to be borne by the state and/or the counties. So there may be a mandate, an unfunded mandate down to the counties on this. I don't know and I suspect we won't know until we see the fiscal note that is developed in response to the new white copy. If that's the case, I don't know that in a year where I'm hearing a lot about property tax that people want to see that being a county function. So I would hope at least that that would be paid for with state funds rather than local funds. Second issue I have with it is that I believe under the Drennen v. Drennen case, which is 229 Nebraska 204, it was a case that dealt with a referee system under a prior law which was held that that referee system was unconstitutional because of the