

January 23, 1996 LB 592

SENATOR CHAMBERS: Did you work on this amendment?

SENATOR BROMM: I've discussed the principles of it, I didn't work on the drafting of it, Senator Chambers.

SENATOR CHAMBERS: Okay. Here is the description or the definition of child support, on the first page, and it was also this way in the original that Senator Witek and Senator Beutler would amend, so it's not changed. Child support means support for one or more children. What I would like it to say is, child support means court ordered support for one or more children when the provision for support is part of an order, decree or judgment of a court of competent jurisdiction which provides for such support. So that we tie it always, if you're going to do this, into something done by a court, and not just a generalized requirement of support. Now the amendment that I would offer I don't think would take anything away from the bill, it wouldn't change it, but I think it would tighten it. And I see similar things in the bill. I don't know that Senator Beutler wrote the original thing that we're looking at now as the (inaudible)...

SENATOR LINDSAY: Time.

SENATOR CHAMBERS: ...which is being amended...

SENATOR LINDSAY: Senator Matzke.

SENATOR MATZKE: Mr. President and members of the body, I want to speak in behalf of the Beutler amendment because I think it's a fair and equitable approach to this matter. I suppose my point of view is a little bit different than others. I've spent between 20 and 30 years handling divorce cases and support matters. I don't do it anymore. And from that perspective I don't think the role of the judge has been adequately portrayed here during this debate. We abolished debtors prison by our constitution when this nation was formed. In fact our state Constitution has a provision in Section 1 or Article 1, Section 20, says, no person shall be imprisoned for debt in any civil action. The only time, under our present judicial system, that someone can be placed in jail for failing to pay his debt is in child support matters. And most judges are very, very reluctant to do that for the simple reason that our constitution says we should not put people in jail for debt. And as a result