

LB 60

March 27, 1973

SENATOR STAHMER: Well I'm not sure just what you meant by that, I mean, what's to stop this if there is not a penalty, I think to be sure that it will not be done, there should be a penalty, you penalize other people and I think if you are going to mandate something by law, what enforcement is there if there is not a penalty?

SENATOR LUEDTKE: This is true, except that it is a directive to what they can do, they are already doing all this now, and this is just to restrict, and we don't, we have no reason to believe they wouldn't do it, in fact all of these were law enforcement officers that came in and conditionally approved this bill and they worked on the amendment, so I have no reason to believe that they would not go along with it, I have personally no objections Senator Stahmer, to a penalty in this bill.

PRESIDENT: Any further discussion to the committee amendments? Senator Whitney, the question is shall the committee, oops, Senator Kime do you want to be heard on the committee amendments?

SENATOR KIME: Well Mr. Chairman, I'd like to ask a question, from Senator Luedtke?

PRESIDENT: Senator Luedtke will you yield to another question?

SENATOR LUEDTKE: Yes.

SENATOR KIME: Senator, this committee amendment, states that they will be taken unless a child has been convicted of a felony, the child is unlawfully terminated his or her commitment or youth development, or the child is a runaway. Now if the child is a runaway and gets into another state, and you send his fingerprints in, where are you going to send them, to find out who he is?

SENATOR LUEDTKE: Well, wherever he comes from, wherever he has gone, in other words if the child has been picked up in Chicago, Illinois, and they have reason to believe the child is missing from Nebraska, they can then send fingerprints if they've got them, or if say we have some child from Chicago, here, we can fingerprint that child and send it to Chicago to verify, that it is that individual.

SENATOR KIME: But you don't have his fingerprints on record here now in Nebraska.

SENATOR LUEDTKE: Well there may not be anywhere, most of these children you wouldn't have any fingerprints anyway to check them, so really, the question is not unless they were, had some criminal background there wouldn't be any fingerprints anyway, you answer your own question.

SENATOR KIME: Well many times they do have a criminal background, it might not be a felony, he may have a string of misdemeanors, what do you do about children of that kind.

SENATOR LUEDTKE: Well, if they do, if they have a criminal background, they've been convicted, then there will be fingerprints on file.

SENATOR KIME: That's only if it is a felony.

SENATOR LUEDTKE: That's right.

SENATOR KIME: Many times you have these runaways that go into another state they won't tell you who they are from or who their parents are, and if you fingerprint them, there is no way to tell where they came from, unless they want to tell you themselves.