

February 25, 1974

incidentally, this is an improvement over our present law where the Patrol does not have this kind of authority with regard to the tickets they give speeders. And, they were very much in favor of this aspect of this bill. And, the other point is that if they do not appear after they've signed this kind of a ticket, they then have skipped whether they skip on recognizance or on bail, we have a very tough law which this Legislature passed two years ago which makes them guilty almost automatically, of a violation of a misdemeanor. They wouldn't even.....all they would have to do is come in and they'd be convicted by their mere absence.

PRESIDENT: Is there further discussion. Senator Murphy.

SENATOR MURPHY: Question of Senator Luedtke.

PRESIDENT: Senator Luedtke, do you yield?

SENATOR LUEDTKE: Yes, sir.

SENATOR MURPHY: Does this eliminate the present semi-practice in the state of posting a bond and then forfeiting a bond? By not appearing?

SENATOR LUEDTKE: Well, I think it certainly would have that effect because of the dual offense of...you would sign and say you're going to appear and then you don't appear, you'd be liable for two crimes....that you're not liable for.

SENATOR MURPHY: Yes, in other words you would no longer be able to post a bond and then willfully not appear knowing that you were forfeiting the bond.

SENATOR LUEDTKE: That's right. Now, actually, I want to be fair in answering your question. Right now, if they will crack down on that person, he or she should not be able to get by with it now because of our bail skipping and bond skipping law which says if they're put out on this kind of bond for appearance and they don't show...if they were on for a felony....they could be charged with a felony....but they have not been enforcing it, I understand.

SENATOR MURPHY: Would it then be true of someone passing through the state? Who was in effect pleading guilty by posting a bond he didn't intend to redeem?

SENATOR LUEDTKE: Yes, that's true.

SENATOR MURPHY: He would then still be on the books as having jumped bail?

SENATOR LUEDTKE: That's true.

SENATOR MURPHY: Thank you.

PRESIDENT: Any further discussion? Those in favor of advancing LB29, vote aye. Those opposed, vote nay. Senator Whitney voting aye. Have you all voted? Clerk will record.

CLERK: 25 ayes, no nays, Mr. President.

PRESIDENT: The bill advances. The next bill is LB833.

CLERK: Read LB833. There are no committee amendments or other amendments.