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LR 29

PRESIDENT: The noise level is getting very bad here.

SENATOR DeCAMP: I thought so, too.

PRESIDENT: Leave if you don't want to pay attention, why be a little bit quieter about it, so go ahead.

SENATOR DeCAMP: Thank you, sir. Former Senator Leudtke can tell you as the Judiciary Committee discovered about four to five years ago that one of the major problems that will begin showing up has shown up, was a policy that Nebraska and a limited number of other states were using in the handling of transferring people from one institution to another. We apparently felt there was no need for a due process system. In other words, somebody might be in a Boys' Town or in a home for foundling children, an orphanage, something like this and for whatever reasons, they were simply transferred to a penal institution such as Kearney or something like that, a reform school. This is apparently, could cause us major problems and it is something with respect to this case we have to look into because it apparently did occur so I urge you to adopt the resolution. I think it is something that the Legislature has to face up to and deal with now in this case and any future ones that might develop.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, I would address a question to Senator DeCamp, please.

PRESIDENT: Senator DeCamp, would you respond?

SENATOR LAMB: Senator DeCamp, it seems to me that if this man has been illegally held in some of our institutions....

SENATOR DeCAMP: I don't think we know that. I don't think we have enough facts at this point.

SENATOR LAMB: What I am suggesting is that would not the courts be the proper channel for this to be pursued, that if he has been illegally held that he should bring action through the court system in order to have that determined than rather through the Business and Labor Committee of the Legislature.

SENATOR DeCAMP: Who is he going to sue?