

GENERAL FILE

February 24, 1971

PRESIDENT: Move to the consideration of 294. Clerk will read the title.

CLERK: Read title.

LB294

PRESIDENT: Senator Waldron

SENATOR WALDRON: Mr. President, Members of the Legislature. LB294 is a bill that would extend the wire tapping to areas and use it for gambling. Last session when this bill was passed, I was opposed to the bill at that time. My amendment would appeal the law that we passed the last time. My personal feeling is that wire tapping is in any form an endangering of an individuals privacy and we should not allow it. Of course, it is done under the sanction of the District Court at the present time or the Supreme Court. District Court is just one man and he makes his decision, the Judge of the Court and he is no better qualified I don't think than if you had a case where the County Sheriff and the District Court Judge had something against someone they could put a wire tap on his line and find out information that should be that individuals own business. This amendment if adopted would appeal the Nebraska wire tapping law. The Federal Government has one which I think takes care of any crime of an organized nature which is their concern and I think is probably a proper concern. I don't think the State of Nebraska should have a wire tapping law and allow the District Judge or the Sheriff or a Police Officer to decide whose wires should be tapped and whose will not be. So that is why I ask adoption of this amendment.

PRESIDENT: The chair recognizes Senator Carpenter.

SENATOR CARPENTER: Mr. President, I rise to oppose this amendment. I don't very often disagree with my friend, Senator Waldron, but this bill is absolutely necessary. Because of the many areas of wire tapping with the Federal Government because of the very nature (inaudible) does not become involved in it. Certainly we have to trust someone along the line and this bill in its original form provided that if you had to go to the District Court, except in some unusual cases, in order to get permission to have a wire tap. Anyone that knows anything about law enforcement, and I am not an expert of course knows that wire tapping in the field which is covered in a very limited nature by this bill certainly should be permissive. I don't (inaudible) people because they have an aversion to the general application of wire tapping, should preclude an attempt to exclude everything which most people agree, that permission ought to be given. I would rise to oppose Senator Waldron's amendment.

PRESIDENT: Senator Luedtke