

that child and take it away without some penalty. Certainly there are penalties in the law at the present time, are there not, Senator Newell?

SENATOR NEWELL: Yes, there are, Senator Schmit, and that is exactly the point that Senator Hefner brought up. There is a penalty now. The problem we have is that once you leave Nebraska, let's take you as an example. I know that your marriage is so strong it would never be dissolved, but if it was and your wife was awarded custody and you should for some reason decide to take your kids, you have a lot of children, but some of the children or all the children, you would probably be wise, Senator Schmit, not to stay within Nebraska's court jurisdiction because you know that there are, in fact, penalties in Nebraska. So what you probably would do is go to a state which has not passed this law. Now because you are very knowledgeable, you would go to a state that has not passed this law. Going to Iowa would not solve your problem. Going to Kansas at this time before they pass the law would in fact provide you some safety and you might then try to in Kansas because, you know, courts tend to be a bit chauvinistic, you might try to reopen the jurisdictional thing and try to gain legal custody in Kansas of your children. Now that would be against the law in Nebraska but you might try to do that. It is possible that you could even gain legal custody in Kansas. If you didn't gain legal custody, there probably wouldn't be any other remedy. So what would happen then is that your wife then in order to regain custody she would have to either go to Kansas to try, if she could locate you, she would try to go to Kansas and get them to live up to the Nebraska decree or she would probably have to hire someone to steal the children back to bring them back to Nebraska and hope that you came back to Nebraska in order to prosecute you under the law. So for that reason, we are saying that we are going to respect the custody decrees of other states if they respect the custody decrees of our state and the problem is is that if we leave the jurisdiction, there is a great problem in doing that.

SENATOR SCHMIT: Are you telling me, Senator Newell, at the present time if I stole a load of cattle and took them to Kansas, there would be no doubt about what would happen to me. I'd be returned to this state and I would face charges and the cattle would be recovered. Are you telling me that the children have less rights than the cattle.

SENATOR NEWELL: That is correct, Senator Schmit. Children, you see, since you are the father, you are really not kidnapping the children.