

some...giving them authority to grant easements as they see fit to get that road work done. I move the advancement of the bill.

PRESIDENT: Is there further discussion on LB 265? If not, the motion is to advance the bill from General File. All those in favor vote yes, opposed vote no. Have you all voted on the motion to advance LB 265? Please record the vote.

CLERK: 26 ayes, 0 nays on the motion to advance the bill, Mr. President.

PRESIDENT: The bill is advanced. LB 625.

CLERK: 625 offered by Senator DeCamp. (Read title.) It was first read on January 22, referred to the Banking Committee. I have no amendments, Mr. President.

PRESIDENT: Senator DeCamp.

SENATOR DECAMP: Mr. President, I will tell you what, I will just read this. LB 625 concerns fees paid by banks which use Electronic Funds Transfer Systems, EFTSs, owned by other banks, in other words, the fees paid by bank A, a user bank so those customers may use the EFT terminals owned by bank B, an establishing bank. Now the existing language in 8-157 directs that a user bank shall pay a fee to the establishing bank which is based on the establishing bank's cost of setting up and maintaining the terminal, its cost of handling the transaction plus a reasonable return on the investment divided "pro rata" among the banks using the terminal. This language has created a problem by allowing some establishing banks to charge fees to user banks which are extraordinarily high even though a lower fee would be more appropriate and acceptable for all banks concerned. The change proposed in LB 625 would merely allow the establishing bank to set a transaction fee which would be independent of any pro rata distribution of cost and which could be set at an amount appropriate under the circumstances. However, the fees must still remain subject to the antidiscrimination provisions in 8-157. Furthermore, the provisions governing EFTSs imply that a written agreement is necessary between every establishing bank and every user bank. Because of the widespread use of EFTSs in Nebraska, this requirement would mean that potentially there