

state in which they are organized. That is their authority for doing that. In the State of Nebraska the statutes do not say one way or another whether there is authority to have a card charge, however, the Supreme Court has said that any kind of charge of this nature is interest. So if you add that on to the interest allowable, the banks would be in trouble and for that reason are unable to have card charge without explicit authority from the Legislature. So that is the reason we need it here. I do have though one question, Senator DeCamp, and I think that the Legislature itself and the people of the state need to be reassured a little bit on this question. Philosophically, at least from my point of view, you can take a couple of different attitudes. You can take one, the attitude that all regulation is bad. We should leave it to free competition and if you follow that philosophy I suppose you would be in favor of any kind of bill that would loosen the regulations, however, for those of us who are not quite able to go that far, the question becomes a balancing test between the interest of the consumer and the interest of the banks and I don't see how you can accurately or in any manner fairly assess and weigh that balance until you have actually seen the financial statements of the banks involved in this business. Are they...has John DeCamp... has the Banking Committee taken a look at those financial statements and can the Banking Committee assure the rest of us that they are, in fact, losing money, that the situation that is described is accurate and that we need to do something? That is my question to you, Johnny.

SENATOR DeCAMP: Okay, Chrissy. Mr. President, in answer to his question I have personally during the last six months have gone to Omaha and gone to National Bank of Commerce and I have personally gone to Bill Smith of First National.

SENATOR CLARK PRESIDING

SENATOR CLARK: You have got one minute. Talk fast.

SENATOR DeCAMP: I personally reviewed the documentation they offered me and with my limited capacity to understand, looking at the black and white, the data they offered, it is very clear that they have lost millions and millions and millions on their credit card operation and if they are dead serious about anything it is about clearing it up one way or the other with this bill, either get out of the state, get out of the business or resolve it so it at least can be maintained economically.

SENATOR BEUTLER: And, Senator DeCamp, how was it determined by the committee that the drop should be from \$35 to \$24? How was that decision made?