

February 13, 1992 LB 111

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Lindsay's amendment.

SPEAKER BAACK: The amendment is adopted. Next item, Mr. Clerk.

CLERK: Mr. President, Senator Cudaback would move to amend. His amendment is found on page 635 of the Journal.

SPEAKER BAACK: Senator Cudaback.

SENATOR CUDABACK: Mr. Speaker and members, LB 152 was brought to me by NACO and Senator Wickersham. It's currently held in committee. Senator Wickersham helped me clear up some details that would make it more appealing to everybody and fix whatever was debatable about it. That's why it's still in committee. What the bill does, currently if a person issues a bad check, it brings this bad check to the county attorney, he must charge \$10 for this check. If a bill...or if a check is given to a county office, such as a county clerk's office, the county attorney also must charge the county clerk the \$10 fee. This would simply eliminate that \$10 fee that the county clerk must pay the county. So it's a changing of dollars. So this would eliminate that but it would...the language that Senator Wickersham put back in says a \$10 fee must be paid by the depositor, so that would generate the \$10 back to the county in that case. So if there's any questions, I would be pleased to try to answer them.

SPEAKER BAACK: Thank you, Senator Cudaback. Discussion on the amendment by Senator Cudaback. Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, Senator Cudaback, if you can't answer this, I was looking to see if Senator Wickersham was there. But let me ask you this question. The way this bill has amended...has been amended now, is that the person who is charged with and convicted of issuing a bad check has to pay the person to whom they issued the check \$10, or whatever the fee is that the institution puts on.

SENATOR CUDABACK: Ten dollars.

SENATOR CHAMBERS: Now, without considering all the possibilities where a check may have been paid for once, a fee, is there any chance with this amendment that the same person may have to pay more than one fee for having issued a bad check? Do you envision a situation only where the person who writes the