

February 13, 1992 LB 111

E & R for engrossment.

SPEAKER BAACK: You've heard the motion to advance LB 111. All those in favor say aye. Excuse me, Senator Chambers, I did not see that. That is my mistake. Senator Chambers, you may speak to the advancement.

SENATOR CHAMBERS: Right. Mr. Speaker and members of the Legislature, I oppose the advancement of this bill. One of the things that I have against the whole system that we have put in place in this state for dealing with bad checks is that it uses the criminal mechanism to encourage merchants to be very careless and slipshod in their activities. They want the utilization of checks as negotiable instruments but they don't want to have to use any precautions to make sure that the person from whom they receive the check actually has the money required to cover it. So what do the...what do they get the Legislature to do? Convert the criminal justice system into a check collection agency for careless, slipshod merchants. Then there are fees upon fees heaped atop each other to place against the person who wrote the bad check. Under the fee system that exists, partially due to what has been done with this bill, a person writing a \$5 check might wind up with \$50 in fees to collect it for the merchant. I think it is a very bad policy. I have always opposed it. I continue to oppose it but it's one of those things that the Legislature certainly will not change because the legislators will not even listen to or consider what a perversion of the criminal justice system this represents. But having put that into the record, I will continue to vote against such bills and, because of that, I want a machine vote on this bill.

SPEAKER BAACK: Thank you, Senator Chambers. Senator Pirsch.

SENATOR PIRSCH: Thank you. I just wanted to point out that LB 111 started out as aggregation of theft. The body has made a conscious choice that check aggregation also is an important part of how we can make people responsible. And I would just urge the advancement of LB 111.

SPEAKER BAACK: Thank you, Senator Pirsch. We do have the motion to advance in front of us. All those in favor of the advancement of LB 111 say aye. Machine vote has been requested. All those in favor of the advancement vote aye, opposed vote no. We are voting on the advancement of LB 111. Have you all voted?