

January 4, 1974

them unless we do know the people, but I do know that on Monday morning, you can go down anytime that you want to to the bank and see these short checks down there, but most of these things are restituted to the people. What we have to do is get restitutions to the business community much more so than we have to put anyone in the penitentiary, so I would be against this law because I am especially until Senator DeCamp can get this information to us that he is after. Thank you.

PRESIDENT: Next to speak then is Senator Duis. We really are still debating the Richendifer amendment, and I know that some of the remarks have gone towards the bill rather than towards just the Richendifer amendment which is up for discussion now.

SENATOR DUIS: Mr. President, I think that it is very difficult to talk about the amendment without talking about the bill. I have to do this in order to get in what I want to say. I have received word from my local Chamber of Commerce mostly, in opposition to this bill, because they do represent the business community. I think what they are concerned about is the fact that under the severe penalty now, the banks generally will honor some of these small checks and then they will put them on a man's overdraft, where it is possible that if we raise it this high that they will no longer do it, and they will start sending them back because you know that if you get an overdraft in the bank, why you are going to have to go down and take care of it because you want to keep your bank account in pretty good shape. But, if they ship the check back well of course you don't have to be too concerned about that I presume. Now the thing that I think bothers me to a certain extent, was yesterday, we went along with 567, which increased from 100 dollars to 500 dollars, a larceny deal, now I got three calls immediately after that happened from people who were in the law profession on the county level and that was in regard to the fact of extradition now from one place to another on this hundred dollar business because even the taking of one small T.V. set now will not even put a man in if he steals it, why we are taking a person right out of that. My question is here, and I must ask it either of Senator Carpenter or Senator Luedtke or someone who knows, the remark was made that the county, they could take care of it on the county level and so on and so forth. Now could someone, either Senator Luedtke or Senator Carpenter, who if do we have a statute now that allows them to place a no fund check under this amount in the county jail?

PRESIDENT: Senator Luedtke, do you care to respond?

SENATOR LUEDTKE: Senator Duis, that is the idea of this bill, I agree with you, you can't talk about the amendment without talking about the bill, and the whole idea of this bill is to provide community treatment, community place the individual back into the community for rehabilitation, in other words, keep him in the community rather than sending him to Lincoln or to Omaha.

SENATOR DUIS: Well Senator Luedtke, I am all for rehabilitation, or course I have placed some other things ahead of this, but I am for rehabilitation and I like to have it in the local community, but would you then for the record, please give us the statute that would take care of this on the county level so that we may respond to the people who are forwarding this information to us.

SENATOR LUEDTKE: Now you are talking about this bill?

SENATOR DUIS: I would be very happy if you would tell me what section,

SENATOR LUEDTKE: Section one and section two, both provide for fines and or prisonment in the county jail. For any check, for any check.