

January 4, 1974

PRESIDENT: Senator Carpenter, did you want to be heard? Senator Carpenter did you want to be heard on the Richendifer amendment again? You had offered an amendment to the Richendifer amendment, which I ruled out of order but we still are debating the Richendifer amendment and your light is still on and I wondered if you wanted to be recognized?

SENATOR CARPENTER: Just a couple of words. Now, what where is all of this agitation coming from? You people have all been alerted by your Chamber of Commerce and they scare you to death. What you want to do is to make the state of Nebraska and the county attorney collect your bad checks and your bad debts, and why do I say that because you didn't exercise any judgment when you took them. Now, after all when a man takes a check of a thousand dollars or five hundred dollars, if he gets stuck with it then it is his own fault. The man is a fool to take that much check and give that much money, he ought to get stuck without making some preliminary inquiry about it. Now you can't make me believe, for example, that if you took a man and give him one day in the county jail it would be as much or more effective as putting him six months in the penitentiary. Now, you are going to pass a law that the court probably would not enforce them anyway. Now you failed to state, for example, the present law says what, if you file a bad check with the county attorney, the law makes it mandatory within a week or ten days, he has to notify that person by mail that if he doesn't come in and take care of the check then he is going to prosecute him. Now, how much more do you want? In some counties, all the county attorney does is hire one or two people to collect bad checks that we shouldn't have taken in the first place. Now I get sick and tired of speculators, Chamber of Commerces' who were organized and perpetuate an advantage among themselves. No public good. As self protecting organizations. Now if you are going to take these jump checks as enough protection now, and I think that it is about time on some of these things that we think for ourselves, these Chamber of Commerce's are really a detriment to every community that they operate in, and if you don't agree with them, for example they want you to be an errand boy. In my district, I have never been invited except once to attend the meeting of the Chamber of Commerce. I used to belong to it but that was somewhat of a self infliction upon them as well as me so I got out of it. Now I don't mean to say that everyone in this body is like I am because fortunately you are not, I think one is enough and one enough in the community is enough, so I don't think this body wants to make this bill a collection agent for people who use no discretion when they took the check in the first place. That is all that we are trying to do, we have got plenty of recourse now, the county attorney, if you make some attempt to collect a check yourself, you can collect nine out of ten of them. If you take a check from a professional forger or a professional check passer, brother, for anything above \$50 you ought to get stuck for it because most checks are self-evident by a sense of feel and a sense of appearance, you are going to get stuck. Now, as far as taking a county attorney and going all over this 50 states to bring a man back to prosecute him, if he is out of the state, let him live there because he has always got the check hanging over his head, now you can see that I am not advocating any perpetuation of the check, I think that the Chamber of Commerce are a nuisance. They are a self-perpetuating body, for self interest and that is not unusual but I don't think that they should be able to use this body for that purpose.

PRESIDENT: Senator Richendifer, I think that you can close on your amendment to the committee amendments, Senator Richendifer is now closing please.  
(end tape #6)