

adopted then as amended by the Carpenter motion, all those in favor of that motion say aye, those opposed say no. So ordered, the committee amendments are adopted now, Senator Luedtke, we have the committee amendments as amended adopted back to you. Thank you.

SENATOR LUEDTKE: Alright, now Mr. President and members of the Legislature, as stated in the outset, this bill was questioned by the Governor, and I find myself in an unusual position once again standing up here defending the Governor's bill, and some of his good friends in this body have been attacking it. But I think that the point is this, that we completely missed the point on this, this bill was brought in to utilize local facilities to encourage regional and county jail use rather than to send ~~everybody~~ to some big institution whether it be in Lincoln or Omaha and I don't care which place, but to keep them from being sent to a totally brutalizing situation as Senator Chambers has so well put it, to mix them with another brand of criminal entirely. Now, another thing that I think should be brought out is that the check writer in many instances is an alcoholic and needs other types of local treatment, needs alcoholism treatment on the local regional basis and sometimes people just like to get rid of people like this, get them out of their community and out of sight, out of mind, and that is the wrong approach to rehabilitation or habilitation for these people. Senator Carpenter about said it all as far as the pressures that have been brought about by this bill, I doubt seriously that the business person who wrote a letter or the Chamber of Commerce actually considered the humane argument of keeping people in jail locally and trying to rehabilitate them locally which would be in their shadow, where they would have some responsibility, and in fact I would dare say that it would be a great help for correctional reform in Nebraska to pass this bill and force these people to be kept in the community more so that the community could be more interested in the problems of these people, because it is a community problem in many instances. Now as far as Senator DeCamp's argument that he made about the two dollar public bill collection service of the county attorney, which Senator Carpenter referred to, this is not, we have not repealed that section, that is still part of the law, that is still the original and the first action of the county attorney by law, so we have not changed that at all, and probably that is accounted for the reduction from 30 to 12% right there and that will stay in there, but their main purpose for this bill, coming back, is the idea of getting them back to the local communities. Now Senator Carstens point about the check writer agrigating so many tows, a ten dollar check here, a twenty-five dollar check here, if this bill provides as amended that if you agrigate a thousand dollars and now as amended five hundred dollars, if you agrigate five hundred dollars in a year that a second offense is a felony. Senator Carstens, I think that would, Senator Carstens I think that would satisfy part of your objection, because if you will read it, anytime that you agrigate more than five hundred dollars in a year and this is the kind of fellow that he is talking about or woman that would go around and write these checks and they would agrigate five hundred dollars pretty rapidly, or else they wouldn't be in the business so I think that it would pretty much stop that sort of thing and Senator Duis talking about the over draft for the bank would probably, would might charge these people with a crime now, that is taken care of by section 3 which is the affirmative defense when the bank knows what these people have and when the individual knows that there would then come to play an affirmative defense. Now Senator Kime, would you yield to a question?

PRESIDENT: Senator Kime, would you yield to a question?

SENATOR KIME: Yes.

SENATOR LUEDTKE: Senator Kime, do you realize that with section one and section two of this bill, that this does not in no way