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LB 276

lender can charge the borrower whatever the lender wants to charge and the borrower agrees to pay.

SENATOR KAHLE: On the whole amount?

SENATOR JOHNSON: No, I think probably...I frankly would only conclude on the third loan. I would not conclude on the whole amount. Well I don't know that. That is an ambiguity in the bill. I really don't know the answer to that question.

SENATOR KAHLE: Well I can't quite understand how you think that would help anybody.

SENATOR JOHNSON: Well the reason I said I think that would help somebody is because if the word "aggregate" was taken out, then on the third loan the usury ceiling would still apply. In other words, he would still be paying at his 16% or 15% or what have you.

SENATOR KAHLE: Even if it was \$30,000?

SENATOR JOHNSON: Right, even if it was a total of \$30,000 with one lender.

SENATOR KAHLE: I think it would only complicate the matters and I guess what really bothers me is that we seem to be arguing over how much we are going to help the small borrower and it looks to me like we are doing just exactly the opposite, that we are making it as difficult as possible for him to borrow money or making it impossible, completely impossible. So I think that Senator Newell and Senator Johnson are not thinking the way I am at least, that we are trying to help that guy that can't get a loan. Maybe we are helping him if we don't get the loan because he probably shouldn't have it but that is not for us to say. Is it? Thank you.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Schmit. Senator DeCamp.

SENATOR DE CAMP: Mr. President, members of the Legislature, I oppose the amendment and while I am opposing it I want to address maybe the whole picture on usury and try to answer some questions that have been raised here about four hundred times. Why don't we eliminate the usury rates completely? I'm going to tell you that. I am going to tell you what the reason is and it is completely different than what you think. I would eliminate them tomorrow if I could. It is impractical at this particular moment. There is some simple reasons in addition to everything else. There is some simple