

May 20, 1985

LB 247, 445

SPEAKER NICHOL: The bill is advanced. We'll move on to LB 445. However, I'd like to introduce some guests of Senator Beutler. In the north balcony we have 17 fifth graders from St. Mary's School in Lincoln, accompanied by their teacher. Would you folks please stand and be recognized. Thank you for visiting us today. LB 445.

CLERK: LB 445 introduced by Senators Richard Peterson and Hefner. (Read title.) The bill was read on January 21, referred to the Judiciary Committee, advanced to General File. There are Judiciary Committee amendments pending.

SPEAKER NICHOL: Senator Hoagland, please, on the committee amendments.

SENATOR HOAGLAND: Mr. Speaker and colleagues, this is a bill brought to us by Senators Peterson and Hefner. It has...it is a simple bill. It is a simple bill. It has basically two provisions. The first provision of the bill requires that anyone who makes voluntary restitution in a bad check case, who voluntarily pays back to the merchant, for instance, the \$50 that he owes where his check has bounced, also must pay back to the merchant the \$7.00 fee that the merchant has been charged by the county attorney in order to proceed with collection on the merchant's behalf of the bad check. That is the first section of the bill. The second provision of the bill is to authorize county attorneys to set up pretrial diversion programs for individuals who are in the practice of passing bad checks, in order to attempt to rehabilitate them. Now the committee, basically, in its amendments, struck Section 2 of the bill on the grounds that current law, allowing for the establishment of pretrial diversion programs, is adequate to deal with the subject. It left untouched Section 1 of the bill, the first section, which requires restitution to include the \$7.00 fee the merchant has to pay to the county attorney if the county attorney is to proceed on his behalf in collecting the bad check. So that, basically, Mr. Speaker, is the bill. Again, it is a simple bill and what the committee decided to do with it before advancing it to the floor.

SPEAKER NICHOL: Senator Peterson, did you wish to speak about the amendments?

SENATOR PETERSON: No.