

February 17, 1993 LB 106, 200

penalties are concerned that we need in statute form. If the courts deemed that board is indeed unconstitutional and is constituted...is constructed unfairly, they'll make sure that it is constructed fairly. So that is absolutely a smokescreen, a moot point. But, basically, all we're doing in this bill is putting some teeth in. We're allowing the board to assess a monetary fine, it can be a stiff fine, as it should be in the case of very, very large business. If you slap them on the hand and fine them \$10 a day, they're going to thumb their nose at you, just like they have with the other statute. But this allows us to assess a monetary fine, not to exceed \$5,000 for each day that a violation continues. It's very simple, but it is very powerful, and hopefully will accomplish what needs to be accomplished, and that's the fact that we see the automobile dealers in the State of Nebraska are treated fairly for the work that the manufacturers are requiring them to do. With that, I would move the bill, Madam Chair, answer any questions, if there are any.

PRESIDENT MOUL: Thank you, Senator Byars. Does anyone wish to address this bill? Seeing none, do you have closing, Senator Byars? Closing is waived. We'll now vote on the motion to advance LB 106. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the motion to advance the bill, Madam President.

PRESIDENT MOUL: LB 106 is advanced. LB 200.

ASSISTANT CLERK: LB 200 was introduced by Senator Byars. (Read title.) The bill was read for the first time January 8th, was referred to the Transportation Committee. That committee reports the bill to General File with committee amendments.

PRESIDENT MOUL: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Madam President. Members of the Legislature, the committee, Transportation Committee did hear this bill. They advanced it unanimously to the floor, however, we did make an amendment on page 2, at the bottom. We struck the language "for purpose of profit". This was an amendment brought to us by the Motor Vehicle Industry Licensing Board upon their recommendation that that was redundant language and would cause them some problems, and it was much easier to delete that