

SPEAKER BAACK: It is withdrawn. The next...another amendment, Mr. Clerk.

CLERK: Mr. President, Senator Ashford would move to amend the committee amendments. (The Ashford amendment appears on page 480 of the Legislative Journal.)

SPEAKER BAACK: Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. President, and members, this...first of all, let me, at the outset, tell you that I have also been contacted by various people, persons who are in this industry and who have suggested to me that there are problems with this bill, that it goes beyond what is necessary in order to protect the public. And so the reason that I rise at this point is because of that contact, that I did not...I was not alerted to some of these problems on my own, it was brought to my attention. So I will start out by saying that...that, including Mr. Knowles who operates the Westroads Club, and some other individuals in the Omaha area, and the concern that was raised by them, and as we read the bill, I agree with Senator Nelson that there are parts of...and Senator Landis, that there are parts of this bill which make sense. The one part that makes sense, to me, is that you...you can cancel a contract within three days. It seems that it would be egregious, really, to hold someone to a contract like this, especially if it's longer than one year, if we're talking about a three-year contract for health club services, if at the end of three...within a three-day period of time a person decides to change his or her mind. And I think that's a logical thing to do. The trust fund provisions which require that the...that money be held in trust during the construction period, I believe it is, of one of these facilities would...it would apply primarily to new facilities or to expanding facilities. And possibly that makes sense as well, though I must say that it raises some questions, in my mind. One of the questions it raises is that when you do construction financing for these facilities, if this money is locked up in an escrow account, will that...would that enable the individual company or business to adequately...or find construction financing, would that make it difficult? I don't know the answer to that. But if I were trying to put together a deal to finance something like this, that would be a question that I would have. And also there is the concern that I believe Senator Nelson is going to address