

January 24, 1992 LB 226

amendments and to pass the bill on to Select File, and to continue an analysis of what the fair standard might be.

SENATOR LAMB: The motion is the adoption of the committee amendments to LB 226. Those in support vote aye, those opposed vote no. Have you all voted? Have you all voted? Record, Mr. Clerk.

CLERK: 8 ayes, 10 nays, Mr. President, on adoption of the committee amendments.

SENATOR LAMB: The motion fails. The committee amendments are not adopted, is that true? Senator Nelson, did you wish to open on the bill.

SENATOR NELSON: Well, I believe we've had a fairly good discussion right now. I might go through parts of the bill and try not to take a lot of time. I think that if any of you...most of you realize that there is a need there, and the problem I think is more promise construction and then maybe taking the money, and that is why we address that in the escrow, and not building the clubs as they should. We have brought out that existing contracts are not affected. An establishment which does not charge a membership fee from which a purchaser may only purchase or become obligated, and there are four, five different facilities. One of them Senator Ashford addressed, a nonprofit organization. If that is a problem and I can see that where good legitimate businesses are saying that they do compete, I guess I have a little concern for my YW and YM at home, and groups, organizations such as that, but, again, I am also willing to discuss that, and if there is a needed change, we will change that on Select File. They have to register with the Attorney General's Office. I don't know what the fee will be. I'm guessing maybe 35 or 50 dollars. I do not know. For that reason, the same as we had in the camping club bill, it gives them someone that can give an oversight to the operations. There are ten points that a contractor-purchaser may cancel the contract, and I will go down through them in a hurry. You will find them on page 7: The purchaser dies. The purchaser becomes totally disabled. The physical exercise club facility operated by the seller is moved to a new location. That is another problem, they open on one side of town and temporarily move on the other side, and it says more than five miles from the original facility. The services are no longer available, now this is very important, as provided in the contract. They