

exclusive remedy and that it is intended to be a consumer protection. And for that reason, what I would like to do is to withdraw the amendment after getting a statement of oral intent from, I was hoping Senator Lindsay, but he's not here today. But I think it's equally important that we understand what the committee intended in that regard and for that purpose, Senator Landis, I would like to ask you to respond on behalf of the committee. And we have discussed this, obviously, and it is my understanding that subsection 5, on page 5, is not intended by the committee to be an exclusive remedy of any type but rather a supplemental remedy. Could you comment on that?

**SPEAKER WITHEM:** Senator Landis.

**SENATOR LANDIS:** Thank you, Mr. Speaker, members of the Legislature. Let me concur wholeheartedly with Senator Beutler's analysis. I, too, have talked with the people who brought the bill and asked for its adoption. There was no intent to minimize or cut back any other legal remedy an individual might have who is supposed to be receiving monthly advances and those advances stopped coming. Specific performance, rescission of the contract, any other contractual remedy is available. The purpose here was to provide an economic incentive to make sure that those advances continue to come in the form of sort of a legislative derived kind of damage, if you will, with respect to the \$200 or 1 percent, whichever is greater. But in specific answer to your question, the language in this bill that you point to is not meant to be an exclusive remedy but a supplemental remedy.

**SENATOR BEUTLER:** Senator Landis, thank you. With that, Senator Withem, if there are no other lights on, I would withdraw the amendment. If there are other lights on, I would certainly be interested in additional input on the matter.

**SPEAKER WITHEM:** The amendment is withdrawn. There are no further lights on. Anything else on the bill? Proceed with the reading then, please.

**ASSISTANT CLERK:** (Read LB 397 on Final Reading.)

**SPEAKER WITHEM:** All provisions of law relative to procedure having been complied with, the question is, shall LB 397 pass? All in favor vote aye, opposed vote nay. Have you all voted? Record.