

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 15, 2000 LB 1018

clarifies that we're not intending to prevent the type of relationship that exists now between the franchisee and the franchisor in terms of all the provisions of the agreements that have been entered into and that are subject to the laws of the state of Nebraska, Chapter 60-1401 through 1440 and that area. A franchise agreement that conforms with the provisions of that law is not in violation or is not considered to be control for purposes of this act, and that's a very important point because if we wrote this in such a manner that it was loosely written and could be interpreted that existing franchise agreements are all...are all in violation of this...of this act, the act would be...would be illegal and it would be struck down and there would be lots of problems and we'd be wasting a lot of time. So I think this clarification, even though it's intended to be clarification, is important and I believe that it's...I haven't heard any...anyone rise in opposition to this language, so I hope we can...we can adopt this portion of the amendment. Now where we go from...the next portions of the amendment we'll talk about at that time, but I think there is some other language in this bill that we can make some improvements on and Senator Chambers has pointed some of them out. We've had a brief discussion and I think we're going to try to work on some other sections, primarily clarifications, language, tightening of the bill. I think we're not changing the focus of the bill, but trying to improve upon the language. So I hope we can see fit to adopt the first portion of this amendment.

SENATOR CUDABACK: Thank you, Senator Bromm. Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, Senator Bromm, just a few exchanges with you, if I may, and I'm honestly trying to get my bearings here on how I feel about the two major questions that I feel are encompassed in this bill, the one question relating to Internet and sales elsewhere and that's...that's what you're talking about we're going to talk about later, and I assume right now we're talking about vertical integration and franchises and the question of why, in the case of an automobile dealership, we would want to protect the franchise from vertical integration from a manufacturer or distributor. That's what we're talking about, right?

SENATOR BROMM: Correct.