

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

February 15, 2000 LB 1018

then we could be introducing ambiguity. So, as we proceed, I'm going to want to know, word by word in some instances, exactly what it is we're talking about. So adoption of this part of Senator Bromm's amendment does not foreclose discussion of any aspect of this bill.

SENATOR CUDABACK: Thank you, Senator Chambers. (Visitors introduced.) We are back on discussion of the divided amendment, which are lines through 1 through 4 of AM2348. For that discussion, Senator Beutler. Senator Beutler.

SENATOR BEUTLER: Senator Bromm, if I could extend the discussion with you a little more.

SENATOR CUDABACK: Senator Bromm, would you yield?

SENATOR BROMM: Yes. Yes.

SENATOR BEUTLER: And right now, as I indicated before, I'm just trying to explore the meaning and the reasoning behind some of this. With regard to the prohibitions that are contained in Section 3 with respect to the manufacturer and the distributor, it prohibits them from doing, directly or indirectly, a number of different things, and then it says including, "Operate or control a franchise, a franchisee, or a consumer care or service facility". Is a consumer care or service facility, is that a part of a franchise, or is that separate and apart from a franchise agreement? I mean I guess I don't understand the structure of the industry in the sense that if Williamson's down here in Lincoln, which has an excellent, excellent car care service, is that part of their franchise, or is that something they just do as an adjunct to their franchise?

SENATOR BROMM: Senator Beutler, and I will verify this because I did have a conversation with somebody in the industry about this and this is my understanding based on that conversation, that doing authorized warranty work is part of that franchise. If you get the franchise agreement you commit yourself to do authorized warranty work. Now that doesn't mean that anybody can't fix those cars without being a franchise holder, but unless they are...unless they are an authorized warranty repair shop it won't be paid for by the manufacturer, the work, nor