

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

February 15, 2000 LB 1018

Kristensen, you're recognized.

SPEAKER KRISTENSEN: Thank you, Mr. President, members. Senator Chambers, I want to go on, a couple other ones. I think our discussion is exactly what I want to try to avoid, because the average...the average person can't afford to go to federal court to litigate some of these issues. It just...I mean, can you do it? Sure, but the average person isn't going to spend the money, the time or the inclination to go do that. And yet the manufacturers can, they can afford to do that. They hire a...a whole group of people who, primarily, are designed to do that, and that's what is hard on consumers. And, Senator, Mr. President, I'd ask that Senator Chambers be allowed to respond.

SENATOR CUDABACK: Would you respond, Senator Chambers?

SENATOR CHAMBERS: Yes. Senator Kristensen, what I'm kind of doing now is bleeding over into the discussion that Senator Beutler was engaged in, where you have a seller in another state doing this by way of the Internet, or mail, or whatever other methodology. Let's say that person has a large business and one of these sales is made in Nebraska. And the vehicle is delivered by way of a licensed dealer in Nebraska. You still have a dispute between persons living in different states.

SPEAKER KRISTENSEN: Yes.

SENATOR CHAMBERS: That person doing the selling from the other state may have as much in the way of resources as a manufacturer when it comes to where a dispute will be resolved.

SPEAKER KRISTENSEN: Yes.

SENATOR CHAMBERS: So that's the area that I want us to kind of touch on, not that it will do away with the bill, but so that people won't get the idea that once this language is in the law, if it gets there, that it guarantees that any dispute is going to have to be resolved in Nebraska courts.

SPEAKER KRISTENSEN: Exactly, I think that's right. What I would say that the positive impact of this is if you didn't have