

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

February 16, 2000 LB 1018

again, I think in reading the bill with a microscope, Senator Chambers or maybe it's...yeah, I'll say microscope, I think he has identified some words that are not necessary in the bill. It's my feeling that removing these words do not take away from the intent or the purpose or the effect of the bill, so I will support...I will support this amendment.

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Senator Chambers, you're recognized to close.

SENATOR CHAMBERS: Thank you, Mr. President. One other area where I was going to offer an amendment I'm not going to now, although I may have to offer it to get the discussion. And that will have to do with the word "franchisee" that we see in line 20 on page 12, where we're talking about the manufacturer not being able to own an interest. If a franchisee is defined in the bill as a dealer, not a dealership but a dealer, the franchisee is a person. The franchise is mentioned as one of those off limits area for ownership. So the manufacturer cannot own the franchise. Now the franchisee is the person. And if you look at the top of page 13, in lines 1 and 2, the franchisee is identified as a person. So if the franchisee is a person, despite the fact that the Thirteenth Amendment to the U.S. Constitution outlawed slavery, and there is a companion provision in the Nebraska Constitution outlawing slavery, I think it might be good for us to look at whether or not we should strike "franchisee" from line 20 so that we're not even talking about the possibility of a manufacturer having an ownership interest in another person. But if franchisee is somehow different from franchise and all these other things that have been stated above that a manufacturer cannot control, then maybe franchisee can remain in the bill. But right now the only thing we're voting on is the striking of that redundant language with which Senator Bromm has agreed. So I hope you will adopt that amendment, then maybe I will offer this one relative to the franchisee, and then we'll have a chance to discuss it because I genuinely am not sure what that term means, other than a person. So I hope you will adopt the amendment which is pending right now. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Chambers. The question is the adoption of the Chambers amendment to LB 1018. Those in