

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

February 16, 2000 LB 1018

favor vote aye, those opposed nay. Mr. Clerk, please record.

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of Senator Chambers' amendment.

PRESIDENT MAURSTAD: The amendment is adopted.

CLERK: Senator Beutler would move to amend with AM2442. (Legislative Journal page 711.)

PRESIDENT MAURSTAD: Senator Beutler, you're recognized to open on your amendment to LB 1018.

SENATOR BEUTLER: Mr. Lieutenant Governor, members of the Legislature, if you are following on the pages the discussion, this amendment goes to the language on the bottom of page 15 and the top of page 16, and that's the new language that has to do with sales that are made outside of Nebraska but where delivery is to be by a dealer in Nebraska. I don't know how it's envisioned that that would work, but obviously, with respect to the dealer in Nebraska who is going to do the delivery, either that person is going to have fees, because that person is going to have responsibilities. And so either with respect to those fees he can deal with the seller, the out-of-state seller, or he can deal with the consumer. The bill is not clear on how that would flow. So what my amendment says is the consumer doesn't have to deal twice with people. The consumer is going to deal with the person who sells he or she the car. And that person who sells the car to them will have been responsible beforehand for dealing with a deliverer in Nebraska and figuring out what the additional fees are going to be so that that seller can tell the consumer this is what it costs. I don't want the consumer to be in a position where they're dealing with an out-of-state seller, and he puts something in their contract like, here's my price plus charges in Nebraska for delivery. And then the consumer is surprised to find out that those charges are quite substantial. Or maybe he says, even if the consumer figures it out, the consumer is going to be in a position where he's dealing with two different parties to buy one car instead of one party to buy a car. And so for the...from the point of view of the consumer, I think this amendment makes sense which says, which says essentially that the dealer in Nebraska doesn't