

SPEAKER NICHOL: Did you wish to close on the...well, let's see, we have a couple of lights. Senator Higgins, now, but we're on the bill now. No, we're on the committee amendments, excuse me, I'm sorry. We're on the committee amendments.

SENATOR HIGGINS: Mr. President, I don't know whether I wanted to speak to the amendments or the bill.

SPEAKER NICHOL: I think the bill, but it's your choice.

SENATOR HIGGINS: Well the only thing I wanted to do was ask either Senator Hefner or Senator Vard Johnson, what penalty do we have for these companies that sell by mail order if they don't comply if we pass this law?

SPEAKER NICHOL: Senator Vard Johnson, will you respond to that, please?

SENATOR V. JOHNSON: Yes, I shall. If a company fails to abide LB 552, that company may not use the court system, period. Now that penalty incidentally is a penalty that currently exists in the law for a company that is doing business in our state that fails to register as a corporation or what have you. They can't use our court system. So what that would really mean, Senator Higgins, is that a company from out of state who sells merchandise to a Nebraska resident, if the resident doesn't pay for the merchandise, they can't use our court system to collect the debt.

SENATOR HIGGINS: So in other words, if I wanted to order a couple hundred dollars worth of stuff from a mail order service, of course today they won't sell you anything unless you give them your Master Charge or Visa number or a check in advance, they could not force me to pay for it. But for all intents and purposes then, since these mail order magazines always require your credit card number or your cash, they really don't have any penalty so what I am asking is, how do you enforce this law? I'm in favor of it, but the first thing I was ever taught down here was a bill without a penalty is...are we going to put a penalty in it? I mean, is there any effectual way to penalize an out state company?

SENATOR V. JOHNSON: Okay. Can I go ahead and respond to