

April 2, 1974

SENATOR MURPHY: I almost feel like somebody had a eulogy. Say a few words. Actually I have recommended several times when we were considering LB1028 to various people that they consider including this bill inasmuch as it is much more comprehensive, deals more completely with the subject of monopoly and price-fixing and the like and the only feature in LB326 that I think should be possibly amended should be Section 22 which provides that the various officers of any corporation will be personally liable for damages under this thing. And we do need, I believe, to insert the word "knowingly" in line 3 so that there wouldn't be an inadvertent liability on the part of an officer of a corporation who was unwittingly carrying out his duties. Other than that, I would concur with Senator Waldron, it does elaborate considerably on LB1028. It is a complete act and I think it is worth your consideration.

PRESIDENT: All right, is there any further discussion on this? Senator Waldron, do you want to close? Motion to return the bill for specific amendment is explained by Senator Waldron. All those in favor vote aye. Those opposed vote no. Requires 25 votes. If you're going to vote, please do so. Otherwise, we hold up the whole process. Clerk will record.

(Machine turned off). (See results on page 1440 of Journal).

PRESIDENT: Bill is returned to Select File. Now, Senator Waldron, what will you do with the bill?

SENATOR WALDRON: Mr. President, I move that it be advanced to E & R for Review, I mean for Engrossment. Now, did we take Senator Murphy's amendment on there?

PRESIDENT: We've got to adopt the amendment, Senator.

SENATOR WALDRON: Oh, I move the amendments be adopted. And with that one...could we make that one change...what do we have to do to make that one change to insert the word "knowingly"?

PRESIDENT: Well, that was part of your motion, wasn't it, Senator?

SENATOR WALDRON: Right, right. I'll bring it up and re-insert that word.

PRESIDENT: Well now, Mr. Clerk, how many amendments does he have there? Well now, has he just got one amendment, Mr. Clerk, or does he have several? All right, we have a little parliamentary snag here, when you return a bill from Final Reading to Select File, it's got to be for a specific purpose. And in Senator Waldron's amendment, the word "knowingly", that wasn't part of it, was it, Senator Waldron? Well, can you insert that in your original amendment? Well, we can't put your amendment in there, Senator Murphy, on this amendment. We'd have to do that separately but you should keep that in mind then. That can be done when it comes back to Final Reading. Senator Murphy.

SENATOR MURPHY: I wonder if it wouldn't be possible for Senator Waldron to incorporate that in his amendment inasmuch as it is to insert these sections?

PRESIDENT: Senator Waldron.