

LEGISLATIVE BILL 193

Approved by the Governor February 21, 1985

Introduced by DeCamp, 40

AN ACT relating to monopolies and unlawful combinations; to amend section 59-1617, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to exempted transactions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 59-1617, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

59-1617. (1) Except as provided in subsection (2) of this section, Nothing in sections 59-1601 to 59-1622 shall not apply to actions or transactions otherwise permitted, prohibited, or regulated under laws administered by the Director of Insurance, the Public Service Commission, the federal power commission Federal Energy Regulatory Commission, or any other regulatory body or officer acting under statutory authority of this state or the United States. Sections , nor shall the provisions of sections 59-1601 to 59-1622 and federal antitrust laws shall not extend to or apply to any actions or transactions on the part of any public power and irrigation district, public power district, electric membership association, or joint authority created pursuant to the Joint Public Power Authority Act or of any agency created pursuant to the Municipal Cooperative Financing Act, cooperative, or municipality and cooperatives or municipalities engaged in furnishing electrical service to customers at retail or wholesale if such actions or transactions are otherwise permitted by law. ; PROVIDED, that actions

(2) Actions and transactions prohibited or regulated under the laws administered by the Director of Insurance shall be subject to the provisions of section 59-1602 and all statutes which provide for the implementation and enforcement of section 59-1602. Actions and that actions and transactions prohibited or regulated under the laws administered by the Board of Examiners in Embalming and Funeral Directing of the Bureau of Examining Boards, Department of Health or administered by the Department of Agriculture and actions shall be subject to the provisions of Chapter 59, article 16. Actions and transactions relating to loan brokers which are prohibited or regulated pursuant to sections 45-189 to 45-193 and administered by the Department of Banking and Finance shall be subject to the provisions of Chapter 59,

~~article 16~~ sections 59-1601 to 59-1622.

No penalty or remedy shall result from a violation of sections 59-1601 to 59-1622 except as expressly provided ~~therein~~ in such sections.

Sec. 2. That original section 59-1617, Reissue Revised Statutes of Nebraska, 1943, is repealed.