

March 21, 1989

LB 371

afternoon's work on senator priority bills, the Chair is very pleased to announce that in the north balcony we have some guests of Senator Schmit, 34 fourth graders from Yutan Elementary in Yutan with their teachers. Would you people please stand and be recognized. Thank you for visiting with us this afternoon. Mr. Clerk, first bill.

CLERK: Mr. President, LB 371 is offered by Senator Ashford. (Title read.) The bill was introduced on January 11, referred to General Affairs, advanced to General File. I have committee amendments pending by the General Affairs Committee, Mr. President.

SPEAKER BARRETT: Thank you, sir. To the committee amendments, Senator Smith, please. (Gavel.)

SENATOR SMITH: Thank you, Mr. Speaker. Members of the body LB 371 was sponsored by Senator Ashford. It puts in the statute language which regulates the termination, expiration and renewal of distribution agreements between beer suppliers and beer wholesalers. It puts specific requirements on both wholesalers and suppliers in the performance of the franchise agreement and it governs how the franchise may be transferred. The committee amendment is very simple in that it adds to the definition sections, the definitions of control of a wholesaler's business which is a definition that was intended to be included but was not. It's very simple. It simply states, control of a wholesaler's business shall mean that combination of ownership interests which legally or in partial (sic) effect has the power to determine the policies under which the wholesaler's business shall be operated and shall include, but not be limited to, any change of ownership by 25 percent or more interest in the wholesaler's business or any change in the form of business entity being utilized by wholesaler, including, but not limited to, a change from a sole proprietorship to a corporation. That's the extent of the amendment and I would ask for the adoption of the committee amendment.

SPEAKER BARRETT: Thank you. Any discussion on the committee amendments as offered by Senator Smith? If not, Senator Smith, anything further? Thank you. The question is the adoption of the committee amendments. Those in favor please vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of