

the current act that does not need refinement or amendment, but if you'll look, for example, at...or why we shouldn't refine or amend ambiguous language, for example, 87-405, which deals with transfer or assignment of interests in a franchise, if...I invite you to read it and tell me if you don't believe that that is open-ended, is ambiguous and is not of need of definition. I think that if you look at Section...and again, going back to what I...it's very difficult to respond here because I don't know what Senator Hall is getting at and he hasn't indicated to me what it is he's getting at, and if he has a problem, for example, with a different standard for family members, we're talking about franchises that are owned by individuals, interests that are the result of substantial investments, why there should not be some accommodation in the statutes made for that individual and his right to sell or transfer. What we're talking about is a problem that is a very difficult one and let's talk about the family problem for a second. Oftentimes what the...and the problem that exists is that a franchisor will in effect say, we're not going to allow you to transfer this to your family member, but we want...and they have somebody else that they want to bring into that particular district or into that particular area. So what they will do is they will arbitrarily, and there is nothing in the franchise act that exists today to protect that local Nebraska wholesaler, there is nothing there to protect that local Nebraska wholesaler from this happening because...and that would be that the franchisor says I don't like your son or your daughter, I don't want them running this, we want somebody else, we can make a better deal. For example, one of the better deals that you often hear about is maybe the franchise fee wants to...they want to increase the franchise fee or they want to carve out a different territory or they want to talk about different product, and they use that as a negotiating tool in order to gain benefits or contractual rights and you don't have the equality of bargaining, the equality of negotiation that is so important in these kinds of transactions. So the family member provisions are there for a purpose. I don't see any reason why we should not protect local businesses with the kind of investment that they have made in their efforts to...and there are reasonable standards in the bill as it relates to family members. If the franchisor has a good reason to not to want that transfer to take place, they can establish that and give a reason for it and enforce it, enforce those reasons. But I think there is a good public policy behind maintaining that continuity of ownership and not creating an imbalance in the negotiations between the parties. But if you