

it Nebraska distributors, we narrow that down and I think that in both cases they should be treated the same, so if this amendment should fail, I think we need to come back then, and I think it sounds like Senator Ashford would be receptive to that, but that we spell out that we're talking about Nebraska distributors and only Nebraska distributors because I don't quite understand what the definition of a similarly situated. Similarly situated could mean many, many things and what we do by striking those is take that ambiguity out of LB 371. I would urge the adoption of the amendment which I think is basically a technical amendment and Senator Ashford has alluded to that, whether he agrees with it or not. Thank you, Mr. President.

SPEAKER BARRETT: Thank you, and the question is the adoption of the Hall amendment to LB 371. All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 4 ayes, 14 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, Senator Hall would move to amend. Senator, I have your amendment to strike Section 20 from the bill. (See FA83 on page 1261 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Thank you, Mr. President and members. The issue here is found on page 28 of the bill. It would strike Section 20 of the bill which is the arbitration procedures and it's just...it's very simple. It's about six lines and it reads that a wholesaler may not waive any of the rights granted in sections 1 to 22 of this act and the provisions of any agreement which would have such an effect shall be null and void. Nothing in such sections shall be construed to limit or prohibit good faith dispute settlements voluntarily entered into by the parties. So in other words, if you...it's okay, we will...you can't waive your rights unless you do it so on a voluntary basis with regard to the contract agreement. Now this is a substantive amendment. If you remember back in, I guess it was 1987, we passed the Uniform Arbitration Act and it allowed for contract procedures to be dealt with all on the same basis. What we do by allowing Section 20 to remain in this bill is we say that not so in this case, not for this group of individuals.