

of a written agreement. I don't know why there would be a problem with regard to having agreements in writing. I mean, it smacks of something that must be hidden, something that needs to be hidden, something that folks do not want other people to know about when you place in statute the definition, and you do place in statute the definition of what an agreement is. It does not circumvent the provisions in LB 371. What you do is you spell out specifically in the definition as laid out in Section 4, that an agreement is one that is in writing and not an oral agreement. Both sides should be interested in having the agreements in writing so they understand, can go back and look. I mean, if we're going to pass these on to family members and provide for that, the agreement might be made by Grandpa, he dies, the son doesn't know anything about the oral agreement that was agreed to. How do you enforce that? Who is right? Who is wrong? I guess then you go to the arbitration factor in LB 371 and you thrash it out according to that as it's laid out. I think that this amendment, at the least, is one that I guess for our own interests we ought to adopt. It is one that just says, in all due respect, the good public policy to protect both the wholesaler and the retailer, excuse me, the manufacturer and the wholesaler, that this ought to be in writing. It is just simply not something that we should endorse to the definition process that an agreement is one that is an oral agreement. It in no way would allow for the circumvention of LB 371 as Senator Ashford has offered it. I mean, the idea behind this bill as it has been touted, is one that both sides agree to. Well, they ought to agree to put the agreements in writing so that everyone knows what is being agreed to. It is basically a clarification of a definition section. I think we need to have written agreements in this area and the reference to oral agreements is the only thing that this amendment would strike. I would urge the adoption of the amendment.

PRESIDENT: Senator Ashford, please, followed by Senator Chambers.

SENATOR ASHFORD: Question.

PRESIDENT: The question has been called.

SENATOR HALL: (Mike not turned on immediately.) ...I mean there has only been, to date, Mr. President, four different people speak on the bill. Senator Chambers would like to speak. I think we ought to give him that opportunity.