

say about it or not and they don't. They clearly can just circumvent the supplier altogether and this is a provision that, again, the argument will be that they have a considerable investment and that is true, but there has never been, and I don't think Senator Ashford can point out, a situation here in Nebraska where a distributorship has changed hands because the language in LB 371 is not adopted. It is interesting that it is before us today as an issue that requires the emergency clause, and I would like Senator Ashford to address that issue as well. I would urge the body to adopt the amendment that basically brings into line the transfer of these distributorships on a uniform basis and treats everyone the same. I don't think that there would be any problems with family members meeting these criteria because the criteria spelled out as a designated member are those that require a family member to have been in operation in the business. So I think to strike this provision that says family members are treated differently, we don't do it for anybody else, we don't do it for any other franchisee, but yet we're going to do it for beer distributors. I guess I need to know why. Other franchisees have huge investments in their businesses as well. Why don't we allow for them to transfer from family member to family member. Do they have contracts that don't allow that, I guess, and aren't those contracts negotiable? Maybe they have written contracts as opposed to oral agreements. I would urge the adoption of the amendment.

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

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to ask Senator Ashford a question because I'm going to admit that this is an area that I don't have a lot of expertise in. Senator Ashford, with the failure of Senator Hall's amendment to have been adopted which now allows written and oral agreements, and then I want to bring it to what we're talking about with reference to these designated members. At that Section 15 on page 6 that Senator Hall was reading from which requires a written agreement which contains all the terms, then in line 13 it says, any agreement which is in existence on the effective date of this act shall be renewed in a manner consistent with Sections 1 to 22 of this act.

SENATOR ASHFORD: Right.

SENATOR CHAMBERS: Okay, so that means if it's an oral