

March 21, 1989

LB 371

transfer of the wholesaler's business to a designated member or any transfer of less than control of the wholesaler's business. It goes on to say, though, that the wholesaler shall give the supplier written notice of any change in ownership. I guess you supply written notice so that they will know who to talk to about the oral agreement that they have entered into. It is just one of the problems that I think LB 371 has and I would urge the body to bring the bill into compliance or into a uniform compliance with regard to the transfer of these types of businesses. I would urge the adoption of the amendment.

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

ASSISTANT CLERK: 8 ayes, 26 nays on adoption of the Hall amendment, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Next motion.

ASSISTANT CLERK: Mr. President, Senator Hall would move to amend. Senator, this is amendment number six. (Hall amendment appears on page 1266 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. Clerk, I would ask you to please let the body know that we did skip amendment five so that I am not trying to belabor the issue. The...this again is a substantive issue and it deals with what is the supplier shall do and, excuse me, what the supplier shall not do. Okay? And bear with me because, again, this just points out how the bill was drafted and how I guess what the type of protective legislation that this is. Okay, it says that a supplier shall not, on Section 15, page 6, and then it lists one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen different things that the supplier shall not do in relation to the distributor, or the wholesaler, and this amendment is the amendment that deals with, on page 8 of the bill, number 9, it says, the supplier shall not require a wholesaler to submit audited profit or loss statements, balance sheets or financial records as a condition of renewal or continuation of an agreement. In other words, we put into statute the fact that that supplier, Anheuser Busch,