

January 18, 1989

LB 53, 57, 123, 537-597
LR 8-12

Mr. President, new bill. (LBs 537-538. Read for the first time by title. See page 268 of the Legislative Journal.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: The Chair is pleased to announce that Senator Jacklyn Smith of Hastings has visiting the Legislature today Dr. Robert Schlock and 20 students from Hastings College, specifically, psychology and law class, in the east balcony, the rear balcony. Dr. Schlock, would you and your students please stand and be recognized by your Legislature. Thank you. We are pleased to have you visiting with us today. Also under the north balcony from David City High School, Senator Schmit announces the following guests, 8 students from David City High School with their teacher. Would you folks please stand and be recognized. Thank you for visiting. We are glad to have you. Mr. Clerk, more bill introductions, please.

CLERK: Mr. President, first of all, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 53, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File; LB 57 General File; LB 123 General File, all signed by Senator Hartnett as Chair of the committee.

Mr. President, new bills. (LBs 539-557 read for the first time by title. See pages 269-72 the Legislative Journal.)

SENATOR HEFNER PRESIDING

SENATOR HEFNER: Mr. Clerk, do you have some more bills to introduce?

ASSISTANT CLERK: Yes, I do, Mr. President. (LBs 558-593 read for the first time by title. See pages 273-81 of the Legislative Journal.)

SENATOR HEFNER: Do you want to read the bills into the record?

CLERK: Yes, Mr. President, thank you. (LBs 594-597 read for the first time by title. See page 281 of the Legislative Journal.)

Mr. President, in addition to those items, I have new resolutions. (Read a brief explanation of LRs 8-12. See

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LB 49, 371, 396, 512, 526, 547, 594
627, 712

SPEAKER BARRETT: A record vote has been requested.

CLERK: (Record vote read. See pages 1262-63 of the Legislative Journal.) 12 ayes, 21 nays, Mr. President.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, if I may read some items for the record.

SPEAKER BARRETT: Proceed.

CLERK: Judiciary Committee reports LB 627 to General File, LB 594 to General File with amendments, LB 396 indefinitely postponed, LB 512, LB 526, LB 547, LB 712 all indefinitely postponed, those signed by Senator Chizek as Chair. (See page 1263 of the Legislative Journal.)

Senator Dierks has amendments to be printed to LB 49, Mr. President. (See pages 1263-64 of the Legislative Journal.)

Mr. President, Senator Hall would move to amend LB 371. (Hall amendment appears on page 1264 of the Legislative Journal.)

PRESIDENT NICHOL PRESIDING

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President and members. The third amendment here I would like to ask the body to refer to page 3 of the bill, Section 4, line 7 through 11. I'll just read it to you. It's very short. Agreement shall mean any agreement between a wholesaler and a supplier, whether oral or written, by which a wholesaler is granted the right to purchase and sell a brand or brand of beers sold by a supplier. What my amendment would do is rewrite that five lines so that an agreement shall mean any written agreement between a wholesaler and a supplier by which a wholesaler is granted the right to purchase and sell a brand or brand of beers. All it does is strike the language that refers to an oral agreement. I don't understand why it is there. I don't think it should be there. I think at least the agreement should be required to be in writing not only for the manufacturer's benefit, but for the retailer's benefit and I think that an explanation as to why we allow for an oral agreement, we just allowed for a separate group of arbitration