

February 14, 1974

court. So, we make sure we get a good order when it comes time. But there's no misdemeanor penalty in this bill whatsoever for violation of the rules and regulations of the Attorney General.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature. I'm in support of this bill. I'm in support of all types of legislation of this sort and I think it would be good for us to adopt the policy officially by the State that instead of the buyer having to beware, the seller should beware. There are certain advantages and certain privileges that are granted to all people who establish businesses, Senator Nore, in the form of tax exemptions, credits, write-offs, etc. So, I think they get plenty of protection from the government and usually by their financial position, they're in a status where they can overreach the buyer anyway. You know this as well as I know it. So, the consumer does need some protection. The consumer does need an avenue to have redress for grievances. I think this bill, if it's passed, will put sellers on notice that their products have to be as represented, certain tactics cannot be resorted to in the form of pressure and duress and that a certain or certain contracts are entered into. They can be rendered invalid or non-binding if requirements of the law have not been met. So, I'm strongly in favor of this bill and I hope that you'll give favorable consideration. Thus far, the attacks that I've heard made against the bill don't relate to the equities of the situation. And to me, we can get at this issue by determining whether or not we have equaled meeting when we have a financial or commercial transaction. The money changers, the money lenders, the money holders, have all the best of it. All the State is doing here is saying that their practices, their products will be subject to review by the State who has the responsibility to protect the interests of the citizens. This is not a plot, this bill is not a conspiracy and I use those words because I've heard this type of legislation discussed in those terms. All we're saying is that ordinary citizens have a right to be protected from certain unscrupulous practices. Legitimate businesses, legitimate practices have nothing to fear from this bill. It is not going to be like giving the Attorney General a broad sword with which he can ride through the land lopping off people's heads and closing businesses. It is not anything nearly so ominous as that.

PRESIDENT: Senator Anderson.

SENATOR ANDERSON: Mr. President and members of the Legislature. I know that a number of people who have opposed this particular bill have attempted to argue that there are adequate safeguards in the court procedures and the laws of Nebraska right now. But, I also know that a couple of years ago we had a wave of pyramid sales operations going through that particular or our own area of Nebraska and perhaps some of the rest of you have had this kind of thing happen in your areas too. And, I remember talking to some of the people who were taken by these operations and more pointedly to members of families of these people where they had lost money and it became very obvious to these people and to me also that there was no recourse, there was no way of redressing their grievances, that only if Nebraska were willing to go back and act a strong piece of legislation that would give us the means to deal with these pyramid sales operations could we do something about this particular problem. And, so for this reason, if for none other, I am in full support of what Senator Waldron is trying to do and I urge your favorable consideration of this bill.

PRESIDENT: Senator Nore.

SENATOR NORE: Mr. President and fellow members. Probably we should appoint guardians for some of these people and I'm not in favor of that. We live in a world of buyer beware. We've always