

February 14, 1974

SENATOR CHAMBERS: Well, I'm giving my opinion on this. I'm not giving yours now. If the kind of actions that are characterized with those words are the kind that this bill would deal with and the merchants say they don't want this bill to deal with those kind of actions, it can only mean to my mind that they intend to swindle, trick, dupe and make suckers out of people. So, would you be in favor of me being able to do the same thing on the banks? Turn the tables on them? Get a loan by promising to pay them back and then refusing to pay and say there should not be a law against it because as big as the banks are, as long as they've been in business, as many ways as they have to research me, they got a bad deal and they ought to be stuck to teach them a lesson. Would you be in favor of doing the banks like that?

SENATOR NORE: No.

SENATOR CHAMBERS: Thank you.

SENATOR NORE: But I would like to say that usually anyone that's dishonest and not ethical usually isn't around too long. I don't know what happens to them, they just seem to disappear. At least they do in my business. If they aren't absolutely honest and fair, in their dealings, I don't care if it's a bank, a business or what it is, they just don't stay in business. They just disappear. The laws of nature takes care of that.

CLERK: The motion's on the desk, Mr. President.

PRESIDENT: The Clerk will read.

CLERK: I move the previous question, signed, Senator Carpenter.

PRESIDENT: All those in favor ceasing debate, vote aye, those opposed, vote no.

CLERK: This requires 25 vote.

PRESIDENT: Have you all voted? Clerk will record.

CLERK: 17 ayes, 13 nays to cease debate.

PRESIDENT: Motion fails. Senator Murphy, then Senator Carsten.

SENATOR MURPHY: I'm sorry to drag this out but this is not something that should be visited on the people of this state ill-considered. Now Senator Waldron made the statement that under Section 14, he provided that the man must willfully violate to be a felon and I failed to find the word willful in Section 14. Now, it is in my amendment. I concur with the thinking but not with the wordage that is in this bill. I don't want to prolong this forever. I have given you a list as provided by retail merchants of Omaha who happen to be people of this state who must perform under the laws and statutes of this state so I'm sure they have a justifiable concern. But they list there many of the current protections available to the consumer. This amendment would strengthen that even further. I am not taking away, I am not detracting, I am not saying there is no need, I am saying that this will, in fact, strengthen it under the Attorney General and if this body as it proposes to do is going to strengthen our County Attorney's offices, then certainly we will have even better enforcement. But I would read to you in closing, if I may, an item from an editorial relating to the Consumers Protective Bureau in Washington. It had to do with unfair practices in advertising which has to be one of the most vulnerable fields of consumer protection. And, if you recall, the other day during our energy crisis, the Consumers Protective Bureau