

February 14, 1974

in truth intends to pursue his law career, that the deceptive practices acted in this state are not a bunch of garbage. And that adding substantially to them on behalf of consumers is not a fraud.

PRESIDENT: Senator Waldron. The motion is to indefinitely postpone.

SENATOR WALDRON: Mr. President and members of the Legislature. I'd like to point out, once again to the members of the body here what Senator Murphy says and I'm not blaming Senator Murphy, because he's been getting his facts and figures from the people that are opposed to any consumer type of legislation. But the deceptive sales practices act is primarily an act to protect businessmen from businessmen. And that's what it was adopted for. And strengthening that act has nothing to do with the average consumer. And I'm not blaming Senator Murphy because he's been, I think really...he doesn't know exactly what these guys are telling him, and I blame the lobbyists that are standing outside on our front door here that represent the Omaha Retail Association. They're the ones that have generated all the opposition to this bill. They sent letters out to all Chambers of Commercials across the State of Nebraska to oppose this bill. That's Omaha retail merchants. They must be the ones that are engaging in these practices. That they are so afraid of the state taking a look at. That the only thing I have to say.

PRESIDENT: The motion is to indefinitely postpone. The Chair recognizes Senator DeCamp.

SENATOR DECAMP: Mr. President and members of the Legislature. We've been talking in theory up to this time. I would like to ask Senator Waldron, Senator Chambers, any of the Senators if they could give three, four, maybe five practical illustrations or examples of things, problems that this is going to solve. For example, a particular dealing. Hypothetical or otherwise, that this act is going to solve that is not taken care of under existing law. I think that's a reasonable request in view of the fact that this is what the bill is going to solve. Now Senator Syas did mention one. He said they refused to act when they didn't have proof that the merchant had short changed a woman from 32 ounces to 28 ounces. O.K. How do you know this particular individual didn't change it from 32. Were you there when she bought it, or...Yes, Sir.

SENATOR SYAS: In the newspaper. It said like grape juice, the brand, it was so many quarts. Say $\frac{1}{2}$ quart.

SENATOR DECAMP: Sure

SENATOR SYAS: And then it had a prunes, for instance we might say, packages. There were one pound, we might say. Well, anyhow the material was purchased on the ad. When they got home they brought me the labels and the ad. And it wasn't 16 ounces it wasn't one pound. There on the label on the prunes it didn't say, it was 16 ounces. On the grape juice it wasn't a half gallon, it was 2 or 3 ounces less than a half gallon. On the labels themselves, the store had misrepresented in the ad, because they figures that people wouldn't look at the labels. And I say 99% of the people didn't. I took this material to the agriculture department here in the capital building. This was about four years ago that they were supposed to enforce weights and measures. And they told me at that time unless they were standing there and seen the stuff purchased they were powerless