

March 18, 1974

this economy straightened out, and back on the road again. We are going to have a lot more serious things to worry about than LB1028. And I think we need the bill. We need it now. We need it in the form in which it is. And I'll be the first to apologize, if it's wrong. But I don't believe it is.

PRESIDENT: Senator Kelly, then Burbach, Richendifer, Simpson. The motion is to bracket the bill.

SENATOR KELLY: Mr. president and Members of the Legislature. I would rise to support the motion to bracket the bill. And on this basis. Everything that Senator Carpenter has said in support of his amendment, I agree with him one thousand per cent. I asked him if the words in the bill or but by a prior agreement, what they do in selling a business to a competitor. He says it does not bother it. I ask him what it does if you merge businesses. He says it does not bother it. I ask him what it does with franchizing. And he says it does not bother it. However, those words are still there and they keep sticking in my mind. Senator Carpenter and Jack Rogers have both advised me that the word conspiracy is the overriding word that is necessary. I agree that conspiracy should be rooted out and it should be rooted out immediately. But normal business practice should not be rooted out with this. In checking with two different attorney firms in the city of Lincoln, I'm getting conflicting opinions now between Senator Carpenter's opinion of the words and those of the two private legal opinions. This bothers me all the more. I am supporting 1028, and I'll continue to support 1028. However, I'm glad to see it bracketed. So that I can continue my study on what the private attorneys say, and to incorporate into this thinking the suggestion of Senator Murphy that we read 326 objectively to see where it puts it also.

PRESIDENT: Next to speak is Senator Burbach.

(End Belt #6A)