

January 17, 1980

LB 186

CLERK: Mr. President, LB 186 is introduced by the Miscellaneous Subjects Committee and signed by the members thereof. (Read title to LB 186.) The bill was read on January 10 of last year. It was referred to the Miscellaneous Subjects Committee. It was advanced to General File. There are no amendments pending.

SENATOR NEWELL: Mr. President, this is a very similar bill to the last one that we just advanced. Basically the only difference is this deals with the Consumer Protection Act as opposed to the criminal statutes...the criminal code. It basically says that newspapers are not responsible if somebody places a bad ad with them. I think most people ought to understand the logic of that, and for that reason I move the advancement of the bill.

SPEAKER MARVEL: Senator Johnson, your light is on. Do you wish to speak? The motion is to advance the bill.

SENATOR JOHNSON: Senator Newell, I have a question about 186. I have been reading the bill, and I can't understand it, which probably is a reflection on my own abilities rather than the bill itself. It would seem as though the bill provides...it would seem as though the law presently provides that the penalty which could be imposed if someone commits an unfair or deceptive trade practice is not to be more than \$2,000, and that such penalty should not apply to any radio or T.V. broadcasting station, or any publisher, printer or distributor so long as they distribute advertising in good faith without knowledge of its false, deceptive or misleading character. Okay, now...

SENATOR NEWELL: Except there are parties to the suits all the time and that costs money, Senator.

SENATOR JOHNSON: But now your amendment goes on to say, "and no such publication, printing or distribution shall be considered a violation." I mean is it...do you think that that amendment does anything more than the law presently does? Could you answer that question for me?

SENATOR NEWELL: Excuse me again, Senator Johnson.

SENATOR JOHNSON: Do you think that your amendment does anything more than the law itself presently does? And if it does, can you explain what it is?

SENATOR NEWELL: Yes, right now a newspaper is also a party to the suit, so what happens is that when there is a litigation