

January 30, 1980

LB 185

to LB 185. However, I have an amendment offered by Senator Cope that can be found on page 346 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator Cope.

SENATOR COPE: Mr. President, members, this is just a clarification of a 1913 statute. It's a little more specific language. It protects the consumer and also the merchant in misadvertising and it doesn't happen often because most retailers, merchants, just know that it doesn't pay to misrepresent but there are a few who are fly-by-nighters and will run ads that are not correct, such as, Florsheim shoes, \$28.95 or \$15.00 or whatever it is, no note as to how many pair, as to anything, just that. Well, people are led to believe that there is a full stock and they can go down and get shoes for \$28.95. It turns out that maybe they have two pairs at that price and the others are regular and that is misrepresentation without a doubt. This just clarifies and says that you have to in the advertising give people an idea of what, and in the shoe business which I know something about, I hope, and other businesses, reliable merchants will say broken sizes or select styles included or not all sizes in each style or a certain numbers of pairs and yet that is dangerous according to this 1913 statute because you would have to have that many pair if somebody came in the third day of the sale and, naturally, you wouldn't and you couldn't change the advertising. So what it does, it protects the good merchants what they are doing anyway. They don't really need that. It weeds out the poor ones. It protects the public that they are not running downtown, going into a store and then being sold or tried to sell other merchandise which does happen now and then.

PRESIDENT: Any further discussion on the Cope amendment to LB 185? If not, I guess, Senator Cope, that is your opening and your closing. So the motion is the adoption of the Cope amendment on LB 185. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of Senator Cope's amendment.

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