

February 21, 1980

LB 94

of provisions contained in LB 94 but we will try to work all that out by the time we get to Select File so there won't be an extended confusing debate. It may not be necessary, but if it is, I would like you to be alerted to that fact, and if you are not alerted, I would like the record to at least disclose that the alert was offered.

PRESIDENT: The Chair recognizes Senator Murphy.

SENATOR MURPHY: I would only call the body's attention to the fact that the consumers protective act that we refer to was LB 1028. LB 1028 dealt with monopoly. Senator Schmit and Senator Carpenter created that act. It was amended with LB 325 of that year which also dealt in monopoly. Sections 326 and 327 which were additional consumers bills were never adopted by this body. Instead the deceptive trade practices act was amended rather extensively, and under that act, I don't think you can do anything including sneeze without being subject to its provisions but I am very reluctant to have the impression created that the consumers protective act as it exists in Article 59 deals with anything except monopoly. I realize the Attorney General likes very much to expand that department and go in many directions which it does not give him authority to go in because it suits his purpose rather than the statute. But I think it should be explicitly clear that 59 deals in monopolies and that the other protections will have to be derived under deceptive trade practices.

PRESIDENT: The Chair recognizes Senator Kelly.

SENATOR KELLY: Mr. President, members of the Legislature, it was my privilege to serve on the Public Health and Welfare Committee several years ago when funeral directors and cemeteries were before the committee in force, and at that time, the Legislature took an in depth look at the activities of funeral directors and their activities, and in 1978, LB 94 was introduced which has been screened and screened and screened and screened, and if ever, "there were a clean bill before this Legislature, LB 94 certainly must be it". It has been washed and washed and washed. I fully support the bill.

PRESIDENT: Senator Cullan, you may close on...Senator Hoagland just came on so....Okay, you may close, Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature,