

Washington Law Review

Volume 25 | Number 3

8-1-1950

Resale Price Maintenance in Washington

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Recommended Citation

Dale M. Green, Comment, *Resale Price Maintenance in Washington*, 25 Wash. L. Rev. & St. B.J. 265 (1950).

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REPORT OF LEGISLATIVE COMMITTEE

BY THOMAS L. O'LEARY

The Legislative Committee also has prepared a written report which has been filed, and I assume some of you may have read it, and at least it is available to you. If you are interested in it, you have it available and in condition so that it can be read.

I desire, however, to make one or two observations from my very limited experience as chairman of this Legislative Committee in order to attempt to make the work of that Committee more efficiently conducted.

In the first place, the Committee, in my opinion, in the past and during the past year has been too large. It consists of a chairman and twenty-eight members; and any of you who have had experience in working with committees know that a committee of that size is just too big, and when matters were to be considered by the Committee most of them had to be considered through correspondence. We found that we were very fortunate indeed if we obtained the opinions of sixteen or seventeen of the members.

I would suggest that from here on that the Committee be made up of a chairman and about fourteen members. Fifteen would be plenty large, in my opinion. I think that a committee of fifteen members would permit the various portions of the state to be represented and would really permit the various legal interests to be represented on the Committee.

You know that for many years Judge Ott was our special representative at the Legislature, but when he was appointed on the Bench he could no longer serve in that capacity. I think we were very fortunate indeed to obtain the services of Frank B. Malloy, of Waterville, to represent the Bar Association at the Legislature. Frank served many terms in the House and has had the privileges of the floor customarily granted to a former member, and he did a very fine job. I don't suppose we accomplished everything we desired to accomplish but under the circumstances we did everything we could.

Perhaps it would be well to explain to you how the Legislative Committee functions. A committee as large as ours can't meet very often, and we had two meetings; one prior to the opening of the Legislature and one when the session was on. Most of our work has to be done by correspondence. When we receive some measure that has been

proposed by some lawyer or judicial association we submit copies of that to each member of the Committee and get his advice as to whether it should be approved or disapproved by the members of the Bar. If we get an affirmative vote we ask our representative to see what he can do to see that it is passed. If the vote is no, of course, we oppose that in the legislature. The big difficulty with regard to legislative work is the shortness of the term that the legislature is in session. Sixty days is a pretty short time, and as anyone of you who has had anything to do with the legislature may know, they spend the first two weeks there organizing committees and making appropriations for expenditures to be incurred by the legislature itself and between two and three weeks are devoted to budget and revenue measures, and so that leaves thirty days at the most for the consideration of the ordinary legislation. That is a pretty short period. So, many of the bills we sponsored in the last session we were able to get through one house or the other. Many of them died in one committee or the other. And so it is necessary to place before the Legislative Committee, if it is to act efficiently, the proposed measure at least thirty days before the session. We then have an opportunity to place it before the Legislature. We then have an opportunity to see that it gets through one house and thereafter through another. But unless we have the measure early the situation is very hopeless, particularly since in the last legislature there was a lot of dissatisfaction among the various cliques; and so, let me ask that if you have any measures that you present them at least thirty days prior to the next legislative session.

REPORT OF RESOLUTIONS COMMITTEE

BY HENRY ELLIOTT

(Note: The report of the Committee has been reduced to publish here the actual resolutions prepared, recommended, and adopted.)

RESOLUTION No. 1

“Be it resolved that we approve the adoption by Congress of H. R. 3456 introduced by Mr. Coudert on April 2, 1951, or some similar legislation, and be it further resolved that copies of this resolution be forwarded to each congressman from the State of Washington and to the Committee on Ways and Means of the United States House of Representatives.”

RESOLUTION No. 2

"Whereas there are now pending and in process of formulation under the auspices of the United Nations a number of treaties to which the United States of America is requested to become a party such as the Genocide Convention and the proposed International Covenant on Human Rights, and which, if ratified by the Senate under Article VI of the Constitution of the United States would become "the Supreme Law of the land," the constitution and laws of any state to the contrary notwithstanding and could have the effect of nullifying laws now in effect in the State of Washington; Now, therefore,

"Be it resolved that the President of the Washington Bar Association, with the advice and approval of the Board of Governors, shall appoint five persons as a special "Committee on the Constitutional Aspects of International Treaties" to study such pending and forthcoming treaties, and to report thereon to the Washington State Bar Association, and its Board of Governors with regard to their possible effect on the law, of the State of Washington."

RESOLUTION No. 3

"Be it resolved that we approve and request the adoption of S. 1561, introduced by Senator Magnuson on behalf of himself and Senator Langer, or some similar legislation, with the suggestion that some reasonable increase of commensurate compensation over the rates therein specified should be provided."

RESOLUTION No. 4

"Be it resolved by the Washington State Bar Association in convention assembled at Yakima, Washington, this 28th day of September, 1951, that it recommends to the Statute Law Committee of the State of Washington, that any code of the General Session laws of the State of Washington to be both compiled and published in the future, be printed in the original language of the enactment."

RESOLUTION No. 5

"Be it resolved by the Washington State Bar Association in convention assembled at Yakima, Washington, this 8th day of September, 1951, that the people of this state, at the earliest possible time, be provided with an annotated code, to be prepared, published and distributed by a competent and established codifier and annotator."