

May 17, 1973

the city of Omaha is paying approximately 45 or 50¢ a case to get these liquors delivered from the wholesalers to his place of business. Now what this does, it would equalize the freight so it would be the same in Scottsbluff, Alliance, any town in the state as in Omaha. Now the 50¢ that the dealer, the licensee in Omaha now pays would for the most part, and I am only guessing at this, for the most part offset probably to a very great extent the uniform raise that the wholesaler would have to put on in order to add into his case price so he could deliver it. Now there are some licensees, I have been told by one or two Senators, in Omaha who object to this because they say we don't want the same price all over the state. We want an advantage. Well that's understandable. Now let me be honest and frank with you gentlemen. I had the lobbyist for the people who represent the licensees in the state of Nebraska, not the wholesalers, the licensees. I asked him to circulate and send a bill to every licensee, retail licensee, in this state. They enclosed a form letter and they are all the same in almost every case that I know of and from that I presume they are indicating to you what they'd like to have you do. Now that's the reason because of the same that's in the letters. I would think there is two bills that the average licensee in this state would like to have and would like to have this Legislature consider. Number one, 366. That is the stabilization of the retail price and to attempt to Fair Trade us. Normally, you couldn't do that under the Constitution but we believe that because liquor is a privilege and nonessential right that, probably, we don't know for sure, that the Supreme Court, if it was taken to Court, would validate the fact that we can do that. The other thing is that everybody buy this liquor at the same price delivered. Now this doesn't affect the post (?) off, for example, which is a lowering of the price on all brands periodically in order to give those dealers who want to and who are able to, dollar wise and other wise, to buy as much as they want for a thirty day period of time. That doesn't affect that at all. It is just the same as it was. It does two things. Number one, it adopts the same policy that's prevailed in beer for a long time. Number two, it says that a case of liquor from Omaha, from any wholesaler anywhere, either now or in the future, would be the same delivered price anywhere in this state. It puts everyone of you men who has a licensee in your district on a par with everybody in this state. Competitive, he is on an equal. Buying wise, he is on an equal and I would hope you would adopt these amendments because I would think that you would then represent the licensee who I think has a right to ask you to consider his needs, if you agree with them, and this is a brief explanation of what these amendments do.

PRESIDENT: Senator Carpenter, is it all right if we take them one at a time.

SENATOR CARPENTER: I don't care.

PRESIDENT: All right. Is the first..would the clerk help me, please? Is the first amendment up there the adding of the "E" clause. All right. The question is shall the emergency clause be added to 111 on Select File. All those in favor vote aye. All those opposed vote no. Motion is to add the emergency clause to 111 on Select File. That will take 25 votes. Thank you. The clerk will record. Well, all right. Would you vote again please. The clerk blew it.

CLERK: Thank you.

PRESIDENT: We need that accumulative 25 again. Thank you very much. The clerk will record.

CLERK: 26 ayes, Mr. President.