

April 29, 1975

SENATOR KELLY: Or advantage, that is correct.

SENATOR CAVANAUGH: Well, isn't there some public benefit so that the public having access to where the liquor is sold?

SENATOR KELLY: Certainly there has got to be because a tax is paid on this, and it is paid on the alcoholic content as I understand it and this should make no difference as to what the brand name is.

SENATOR CAVANAUGH: Is this a retailers amendment or your own amendment?

SENATOR KELLY: No, this is my idea, implanted by a beer distributor because of the information that he has gotten from his retail dealer. Now, the distributor is the one that sends the information to the state. But, he is also the one that knows exactly what each retailer is doing because he sells them the product.

SENATOR CAVANAUGH: OK, thank you Senator Kelly. I think that I will then oppose the amendment to...with the understanding that I have of it. I think that there is a public benefit to having this information remain public record. It is used as Senator Kelly indicates, it is my understanding that it is used as Senator Kelly indicates of buying among competitors and also buying among purchasers and prospective purchasers with liquor licenses to evaluate the value of the license or the level of competition. I think that there is also a public interest in knowing which liquor establishment traffic and which kinds of liquors and to what extent. Liquor is a highly regulated industry. I sometimes think too highly regulated but as long as it is going to remain in that category, I think that the public is entitled to this type of information vs. what every particular rights of privacy applied to liquor retailers. I am of course generally interested in privacy legislation, but I do not think that this one is of particularly compelling necessity and I think that the public interest in knowing this information outweighs the individuals retailers right to privacy in this particular case. I don't think that we should adopt the amendment.

PRESIDENT: Senator Murphy, do you want to talk on the Kelly amendment?

SENATOR MURPHY: Just very briefly, Senator Kelly I am aware of the listing that you have mentioned and I have been aware of it for a number of years and was quite surprised that it is made available. What purpose does the commission, what useful purpose does the commission attribute to in making this information available to others than the people mailed too. What constructive use is supposedly made of it by the dealers?

SENATOR KELLY: Senator Murphy, I have not been in conversation with the commission and I do not know what their defense for their activities would be and I can not conceive of what that defense would be either.