

AMENDMENTS TO LB113

Introduced by Raybould, 28.

1 1. Insert the following new section:

2 **Section. 1.** Section 53-101.05, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 53-101.05 (1) The Nebraska Liquor Control Act shall be liberally
5 construed to the end that the health, safety, and welfare of the people
6 of the State of Nebraska are protected, and temperance in the consumption
7 of alcoholic liquor is fostered and promoted by sound and careful control
8 and regulation of the manufacture, sale, and distribution of alcoholic
9 liquor.

10 (2) The Nebraska Liquor Control Act shall not be interpreted in a
11 manner that would provide a competitive advantage for one manufacturer
12 over another manufacturer, for one wholesaler over another wholesaler, or
13 for one retailer over another retailer. To the extent the provisions of
14 the act conflict to give a competitive advantage to one licensee over
15 another, then the conflicting provisions shall be construed in a manner
16 that gives effect to the more restrictive provision of the act that
17 reflects the independent nature of manufacturers, wholesalers, and
18 retailers. The act shall also be construed in a manner that the health,
19 safety, and welfare of the people of the State of Nebraska are protected,
20 and temperance in the consumption of alcoholic liquor is fostered and
21 promoted by sound and careful control and regulation of the manufacture,
22 sale, and distribution of alcoholic liquor. If the conflicting provisions
23 cannot be so construed, then the less restrictive provision shall be
24 considered invalid.

25 2. Renumber the remaining sections and correct the repealer
26 accordingly.