

April 2, 1981

LB 483

clear up that point. There are a number of other private labels in the State of Nebraska that were never even challenged and this will clear up for all of them, the need for this bill will clear up for them, the very same question and we won't have the same thing coming up on other beverages. Thank you.

SPEAKER MARVEL: Senator Newell, do you wish to be recognized?

SENATOR NEWELL: Mr. President, members of the body, this is a very positive development and I am very glad that Senator Labeledz was able to give us that information. I would like to just talk to the issue itself just for one brief moment. You know, one of the key questions here is whether or not this product ought to be sold in a generic or private label fashion. The fact that it can be sold cheaper, that it would hold down the prices, is beneficial to the consumer, is reason enough to support this amendment. It only helps that the plant is going to be reopened. It only helps that we show Falstaff and Mr. Kalmanovitz that we want them. Those are secondary but very beneficial issues and with that I urge the body to accept this amendment.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, with great trembling and trepidation I stand before you at this hour of three thirty-five, April 2, but here is what I have to say. I am still opposed to this amendment. It now is not necessary and we can have a judicial determination of whether or not what the Liquor Commission ruled and what the Attorney General's office has alleged is true with reference to how the law should be interpreted. I still think it is a terrible policy decision by the Legislature to change the law to make legal what is already being done by an individual when a cloud has been cast upon its legality. Nobody can say that the product which we are dealing with operates for the public good. I am not talking now about the income of those employees who work at the plant, but since the man does want to go to court, let him keep his plant open and let the courts rule on this matter. The Legislature should not add this amendment and it should not legalize what has been declared illegal by the Liquor Commission. Let us find out whether the various levels and layers of attorneys who are on the state payroll know how to evaluate the law. Now if a law is passed which legalizes that which is being done, that might render the whole issue moved. There is no longer perhaps a live controversy for a court to make a ruling on. There is nobody