

SENATOR SCHELLPEPER: So that they're not all three, yeah. They could do two, but not three.

SENATOR LINDSAY: Thank you. And for the record then, and, Senator Schellpeper, if I'm wrong in portraying this, please let me know. The...what we are doing and cutting through how we phrased the language and give new terminology or whatever, is that we want to keep brewpubs out of wholesaling. We don't want brewpubs to do any wholesaling at all because the lobby is strong enough to keep...the wholesale lobby is strong enough to keep them from doing that. We do want to allow brewpubs to sell at retail. We do want brewpubs to manufacture. We don't want them to have that middle tier. And I think that's a fair characterization of what we're...of what the bill does. Now think about it. We have a three-tier system, which at one point was very clear-cut, preventing what we called tied houses, which is a manufacturer selling at retail and putting in that manufacturer's pub. And you can imagine if Anheuser-Busch owned some pubs here in Omaha, or I mean here in Lincoln, or in Omaha, or in South Sioux City, what kind of beer would an Anheuser-Busch pub be selling? I suggest you can get Busch, and maybe a Bud Lite. I won't go through my "love ya, man" thing again, but I think you could get those kinds of beers there. But I suspect you're not going to get a Miller, I suppose you're not going to get a PBR, and I suppose you're not going to get any of these craft brews. And that's what the three-tier system is designed to prevent, that is those tied houses to eliminate that vertical monopoly where you have manufacturer, wholesaler, and retailer all limiting the amount of brews that are allowed to be manufactured, distributed, and then ultimately sold at retail. But what we see now happening in this bill, and I think Senator Schellpeper's and my conversation there made very clear we, and make no bones about it, we are eroding that three-tier system. It's clear that what this section is intending to do is to say you can get in two, but not three of those tiers, whereas before brewpubs came around you could get in one and only one of those tiers. And now that has been eroded. That poses a concern to me. It poses a concern that we are getting away from that. And if we are...if that is not our intent, or I mean if we're not concerned about that, then I suspect we shouldn't have a problem with allowing tied houses, with getting rid of some of those tiers for other manufacturers. And, and I say this specifically for the record, do we have an equal protection issue? Do we have, can...can Anheuser-Busch, or Miller, or