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FLOOR DEBATE

March 14, 2005

LB 242, 563

SENATOR CUDABACK: Senator Flood.

SENATOR FLOOD: Mr. President, I move the advancement of LB 242 to E & R for engrossing.

SENATOR CUDABACK: Heard the motion to advance LB 242 to E & R for engrossing. Discussion? All in favor say aye. Opposed, nay. LB 242 is advanced. Mr. Clerk, LB 563.

CLERK: LB 563, Mr. President, no Enrollment and Review amendments. Senator Chambers would move to amend with FA31. (Legislative Journal page 582.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open on FA31 to LB 563.

SENATOR CHAMBERS: Thank you, Mr. President and friends all, with proper acknowledgement to my good friend Senator Preister. When I give an opening like that, that should signal that this is going to be a very low-key, user-friendly amendment. Now you have to determine who the users are that I'm being friendly toward. That was given to allow time for anybody who's interested in this amendment to call it up on their gadget. On page 2, in lines 21 and 22, I want to reinstate the stricken matter and strike the new matter. Before I go on, I want to tell you, in effect, what this amendment does. It would define this so-called malt liquor as it should...as it should be. It's not going to be beer. It's going to be a distilled spirit, which is what the whole issue is about, which is what the whole question related to this particular beverage is about. Then, in line 11, after the word "gin," insert "flavored malt beverage." On page 9, in line 7, strike "beer," and insert "beverage." That would prevent any reference to this distilled liquor as being a beer. If you were given a handout and you listen to the discussion, you will see the emphasis placed and provided in such a way as to give the impression that the state is required to adopt a federal standard with reference to what this beverage shall be. The liquor industry is the most heavily regulated industry in any state. The state has plenary power to regulate the liquor industry, even to the point of prohibiting the sale, possession, or consumption of these beverages in the way that it