

left in the bill, that LB 154 creates a new class of liquor license for wine only consumption off the premises with a fee for \$125. As it is now, if an establishment wants to sell beer and wine, they have to get a full liquor license. Since the Supreme Court has said that you cannot discriminate, the city have the necessity then to sell that license, which includes beer, wine and liquor. What they would like to do is to limit the licensing and if you want to sell beer, you get a beer license. If you want to sell wine in a wine shop then you should have the flexibility to get a wine license instead of the full-blown liquor store license. We would like the ability to under license the liquor industry as opposed to over license. With that, if there are any questions, I move for the advancement of 154.

SENATOR LABEDZ: Thank you, Senator Pirsch. Senator Hall, on the advancement of LB 154.

SENATOR HALL: Madam Chair, members of the committee, Senator Pirsch, would you yield to a question, please? Senator Pirsch, we heard the bill in committee and I'm in support of the bill. But would you...the statement that you just made in terms of under licensing the industry versus over licensing, is it your opinion that LB 154 could be used by say, for example, the Omaha City Council when they have...when an applicant has met all the criteria laid out, that because of some sort of...and they cannot be refused based on that criteria, but because of some opposition or some member of the council saying that, well, there are too many licenses out there, that there could be a downgrading of that application, that license?

SENATOR PIRSCH: That really is not the purpose. But when someone comes in to say, I want to sell beer and I want to sell wine coolers, that then indeed they don't have to issue the full-blown liquor license.

SENATOR HALL: Okay, so the intent then of LB 154 is not to offer a license that could be say a bargaining chip, so to speak.

SENATOR PIRSCH: No.

SENATOR HALL: The intent is basically to give a convenience store the ability to just sell beer or a bottle...a wine, cheese store maybe just wants the ability to sell wine and they don't