

the bill, Senator Hannibal.

SENATOR HANNIBAL: Thank you, Mr. President, and members, LB 441 deals with a product called near beer and for Senator Baack's...Senator Dennis Baack had a bill that talked about LB 1089. It appears that Senator Baack is not going to be listening to me but that's all right. But we made reference to a bill he had in a committee statement some time ago that he had put down the bill of 1089 as a bill that he was trying to amend and suggested there were some imperfections in the bill. And he was mistaken because the bill number was not 1089 and I informed him that 1089 was my bill of last year and, in fact, it was perfectly drafted notwithstanding his objections. He suggested that probably 1089 was imperfect anyway and, as a matter of fact, Senator Baack, you are correct, 1089 of last year was not a perfect bill. It was drafted well, however, it did do something kind of inadvertent. It was a bill that added many amendments out of the General Affairs Committee in the form of a cleanup type of bill into LB 1089. One of the things that it did do was it allowed that near beer...and for those of you that don't know, near beer is a product, a drink that has a certain amount of alcohol in it, less than one-half of 1 percent, that had theretofore been controlled by the Liquor Control Commission, that is it was...it was only able to be purchased by adults, those 21 years and older, and it could only be sold in licensed retail establishments that had liquor licenses. LB 1089 of last year addressed the problem of taxation of near beer and suggested that near beer, that product or any other product that had less than one-half of 1 percent alcohol by content should not be subject to taxation as other alcoholic beverages are. Therefore, that bill suggested that that...that near beer be exempt from taxation, but it went a step further and exempted it from the control of the Liquor Control Commission. What LB 441 is doing is reinstating the provisions that suggest two things, one that near beer will, in fact, under the control of the Liquor Control Commission and, therefore, not be allowed to be sold to minors, people under age of 21 years old, and, secondly, that it could only be sold by licensed retailers that were licensed to sell other kinds of alcoholic beverages. So LB 441 does only that and still then says it shall not be subjected to excise tax, if you will, special taxes on alcohol. It will be treated as other normal types of products, it would certainly be subject to all kinds of sales tax that we have in the localities. Simple little bill that addresses a problem that put near beer kind of on the shelf