

April 3, 1989

LB 781

SPEAKER BARRETT: Thank you. Senator Hall.

SENATOR HALL: Thank you, Mr. President and members, I also voted against LB 911 and the bill was subsequently found to be unconstitutional. I think the measure that the General Affairs Committee has advanced to the floor in the form of LB 781 is one that will stand the constitutional test. I think it is...now that it has been amended to provide that those issues are clearly the only issues that a local governing body can use to determine an issuance of new license as opposed to renewals, I think that the standards are clearly set so that the courts will endorse the passage of this legislation, and with that I would urge the body to advance LB 781, even though I do believe that amendment was germane, Mr. President. Thank you.

SPEAKER BARRETT: Thank you. Senator Kristensen, please, further discussion.

SENATOR KRISTENSEN: Thank you, Mr. Speaker. I would like to speak on this bill just real quickly to Senator Smith and ask her a couple of questions about intent and some language.

SPEAKER BARRETT: Senator Smith, would you respond.

SENATOR SMITH: Absolutely.

SENATOR KRISTENSEN: Senator Smith, on page 2 of the amendments that I am looking here on AM986, which I assume is the copy we are working off right now, the white copy.

SENATOR SMITH: Yes.

SENATOR KRISTENSEN: On lines 6 and 7, we have new language that talks about, subsection (d), "encourage temperance and restrict the consumption of alcoholic liquor;". Down on lines 9 and 10, the words "encourage temperance in the consumption of alcoholic liquor" is stricken. Are we changing the intent of the liquor laws by adding in "and restrict the consumption", or are we maintaining the basic intent of our existing liquor laws? We are not here to restrict the number of licenses, this is merely just a restatement of what temperance is and some of the goals, but certainly not a change in intent to restrict the numbers of licenses?