

May 19, 1989

LB 781

Affairs Committee has worked on this session to deal with a bill that was passed in 1986, LB 911, which was determined to be unconstitutional, which would have allowed the local option as far as liquor licensing was concerned. The committee did work diligently. We had a lot of input from folks during the public hearing that we held on the bill. And then after the bill came out of committee, wanting to be sure that, in fact, this time it would meet muster with the Attorney General's Office, we requested, I think it was Senator Kristensen that requested an Attorney General's Opinion on the bill, and the state said it was at that point in time. We held the bill back until we had that response. We did finally hear from him, and there were some things in the bill which he said would still be determined to be unconstitutional. What it comes down to is that we have a choice, either we must go totally local control, or not local control. We can't have it both ways because of the equal protection and the equal rights argument. So what we ended up doing was revamping LB 781 with this amendment that I'm now proposing. And I want to make very clear to you that what you see here now, in this white copy, is not an entirely new bill. What it is is the bill with the changes so that you can see where we've amended that bill. So I again restate to you, and I want to make sure you understand that and make it perfectly clear that this is not a new drafted bill. There are some changes that we have made in the bill. I sent out to you a letter, all of you, a letter the other day explaining what we had been doing and on the back summarizing some of the changes of the process that would take place now under the bill with this amended version of it. I guess that...I just wanted to make sure that I reiterate that although it looks to be, it really isn't that big. It's making some changes which now put it under local control. I know that there is opposition surfacing, which just happened at this late date. I had a handout and I see that the same handout has been passed out to all of you. I'm prepared to be able to respond to all of the comments in here regarding technical and policy changes, and tell you that it's nothing but a smokescreen. I've gone out and I've confronted the lobbyists about this and have said to them, if you want to fight this issue, just tell me honestly what the problem is. Is it just the fact that you're opposed to local control, and that is what came out. So I guess that this is going to have to become, if we have any opposition, and I understand there will be, is to discuss the concerns that have been brought here in the yellow and green copies that you have. I'll be very happy to address every one of those concerns that

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