

in a convenience store that does have a liquor license but because it's a convenience store and not a retail liquor store does not realize the 75 percent of it's gross proceeds from the sale of alcoholic beverages. The organization that sold pickle cards there is continuing to sell cards there because they got a court injunction enjoining the enforcement of this law in that particular instance. What we would be doing with this amendment is simply removing the 75 percent requirement, retaining the requirement that an establishment have a liquor license before it could sell pickle cards, thereby the convenience stores and any grocery store that had a liquor license could sell pickle cards for a charity. With that explanation, I would ask for your support for this amendment.

PRESIDENT MOUL: Thank you, Senator Will. Senator Pirsch.

SENATOR PIRSCH: Thank you. Senator Will responded with one of my concerns. I think we changed this, Senator Will, because we did not want convenience stores selling pickle cards. Is that not right?

SENATOR WILL: The theory, if I recall correctly, behind the change that was made limiting it to only bars and liquor stores was that there was some concern as to pickle cards being sold in places where minors had access to them. I guess that the reason behind this change is that the...the places that do sell pickle cards tend to be fairly careful as to...as to who they sell them to and...

SENATOR PIRSCH: Tell me...tell me a little bit more about the suit of the convenience store that did get...did get to sell pickle cards even though they were less than 75 percent.

SENATOR WILL: If I'm...if I'm remembering correctly, and it's...I've not seen the lawsuit itself, but it's been explained to me, if I'm remembering correctly, it was the charity that was benefiting from the sales of the pickle cards that brought the suit. The basis of the suit was that the charity was being discriminated against because of the location where they were having pickle cards sold as opposed to other charities which just happened to have previously been selling pickle cards at bars and at liquor stores.

SENATOR PIRSCH: And the courts accepted that then?