

answer?

SENATOR ABOUD: Sure, I certainly will. In reading through the Constitution in how this would be placed as it's written in this legislative resolution, it provides that it will be placed in Article XV of the Constitution, Subsection 19, in the miscellaneous provisions section. And it will be by itself and it provides that, as it is written, there is nothing in there mentioning about how...how the state will be involved in the approval or denial of liquor licenses. And so, from reading this, I would assume that it would be the sole discretion and authority would fall upon municipalities as well as counties and the State of Nebraska as an authority involving approval or denial of liquor licenses would not be included in that process. And I would like you to respond to what I have read in the bill.

SENATOR SCHELLPEPER: Well, I guess you're not reading the whole thing, Senator. It says as authorized by the Legislature. It still has to be authorized by the Legislature. So what it will say is that they are...it would allow the cities and counties to approve, suspend, cancel, revoke or deny retail and bottle club liquor licenses within their jurisdictions as authorized by the Legislature.

SENATOR ABOUD: Would you (interruption).

SENATOR SCHELLPEPER: So if the Legislature decides not to give them that authority, it would change it. So we are not doing anything more, like I said, than what they are doing now. There is...you know about the lawsuit that has been filed that says they are questioning whether the cities have the constitutional right to approve or deny a liquor license.

SENATOR ABOUD: That is right.

SENATOR SCHELLPEPER: So we are saying, let's let the people vote, and whether the cities or counties have that constitutional right.

SENATOR ABOUD: Well, thank you, Senator Schellpeper, and that is kind of what I am pushing it towards establishing in this debate what really are we talking about. We are talking about the litigation that has been...

PRESIDENT MOUL: One minute.