

February 7, 1992 LB 682  
LR 9

Legislative Journal.) The vote is 36 ayes, 1 nay, 3 present and not voting, 9 excused and not voting, Madam President.

PRESIDENT MOUL: LB 682 passes. LR 9CA.

CLERK: Madam President, I have a motion on the desk. Senator Wesely would move to return LR 9CA to Select File for specific amendment.

PRESIDENT MOUL: Senator Wesely.

SENATOR WESELY: Thank you. Madam President, I merely would like the chance to ask for a clarification before we vote on this finally for the amendment to the Constitution, if Senator Schellpeper wouldn't mind. I have supported this and conceptually I support the bill, but I just want to be clear. My reading of it indicates the the power of the governing bodies, municipalities and counties to approve, deny, suspend, cancel or revoke liquor license is completely at the discretion of the Legislature, and it would range anywhere from us not authorizing that to completely authorizing them with complete authority and eliminating perhaps the State Liquor Commission and anything in between. Is that not correct, Senator Schellpeper? I mean the full range is open and it is our choice as a Legislature of what we allow.

SENATOR SCHELLPEPER: Yes. What it does, it places it in the Constitution, but it is as authorized by the Legislature.

SENATOR WESELY: Okay.

SENATOR SCHELLPEPER: We are not saying that we are giving them the whole authority. We are letting them to either approve or deny, but as authorized by the Legislature. So the Legislature is still the ones that will pass a law and give them the authority to what they can actually do.

SENATOR WESELY: But under my reading of this, if we chose not to authorize them, that would also be an option, too, or complete authorize them.

SENATOR SCHELLPEPER: That is right, it is up to the Legislature.

SENATOR WESELY: All right.