

April 10, 1979

LB 321, 58

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 25 ayes, 3 nays on adoption of Senator Schmit's amendment.

SENATOR NICHOL: Senator Schmit.

SENATOR SCHMIT: Move the bill be readvanced.

SENATOR NICHOL: This will be a voice vote on advancing LB 321 to E & R engrossing. All those in favor say aye, opposed. It is carried. We will move on to LB 58. Senator Koch, did you want to speak to this, please?

CLERK: Mr. President, Senator Koch moves to reconsider the body's action on LB 58.

SENATOR KOCH: Mr. Speaker and members of the body, about a week ago today the body voted on 58. There has been some misinformation I believe that people have received. This is a very restrictive license and only locally owned resident company, a restaurant, can apply for this license. They apply directly to the Liquor Control Commission. The Control Commission then in turn asks for that entity of government for advice or consent on the granting of that license. Then I would submit to you that the individual restaurant must prove beyond a doubt that their major source of income is derived from the sale of food. The second aspect of this license which makes it restrictive is that the alcoholic beverage can be served only on the premise. Nothing can be sold in bottles from that premise and, lastly, the auditing of their books is charged back to the restaurant who would receive that license and I submit to you that there would be very few individuals in this state who would be eligible to receive that license but most of all if we really believe in this body and the free enterprise system and we believe that a local businessman should have the prerogative to compete, you know as well as I do that restaurants today who have the ability to serve a drink whether you like it or not are those that generally attract the largest crowds. This is what this bill does. It allows them to move from one city to another city contingent upon the granting of a license which enhances the operation. In any case we are talking about businesses that invest in excess of a million dollars, that employ in some cases, over a hundred people. If we talk about benefits derived economically, then I believe that this license is restrictive but it also would enhance the business industry of a restaurant and food and whether