

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 528

Introduced by Karpisek, 32.

PURPOSE: To study issues regarding area restrictions in the Nebraska Liquor Control Act. This study should include, but not be limited to:

(1) A review of the area restrictions found in section 53-177, specifically subsection (1) of section 53-177, which prohibits the granting of liquor licenses within one hundred fifty feet of "any church, school, hospital, or home for aged or indigent persons or for veterans, their wives or children" and subsection (2) of section 53-177, which prohibits the sale for "consumption on the premises within three hundred feet from the campus of any college or university in the state";

(2) A consideration of whether the terms in section 53-177 are adequately defined and whether it is appropriate to remove or add terms to such section;

(3) A consideration of the potential impact on the area if alcohol could be purchased or consumed within one hundred fifty feet of the locations listed in section 53-177;

(4) A consideration of the potential impact alcohol-related environmental messages send to prospective students and their parents if alcoholic liquor retail sales are permitted, without restrictions, within the core of a campus or

within close proximity to campus-approved housing;

(5) A consideration of policies and procedures that are flexible enough to support economic development and provide new opportunities for retail growth, yet recognize the impact of selling and serving alcoholic liquor adjacent to academic facilities or campus-approved housing;

(6) A consideration of whether a definition of a campus is still relevant and if so, consider what that definition should be. This should recognize that a one-size-fits-all definition may not apply to all colleges and universities. It will also be important to differentiate between residential campuses, undergraduate and graduate programs, the electronic uses employed by campuses offering classes, and other such issues that impact the changing nature of education and the populations they serve;

(7) A consideration of allowing colleges or universities to grant waivers for the service of alcoholic liquor at locations that are not in conflict with the academic mission of the institution, yet provide an important social gathering place for populations affiliated with campus; and

(8) A consideration of ways to reduce the number of applications for special designated licenses for the service of alcoholic liquor on or near campuses as well as on or near those locations listed in subsection (1) of section 53-177.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.