

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB1130

Hearing Date: Monday February 06, 2012
Committee On: General Affairs
Introducer: Coash
One Liner: Provide for entertainment district licenses under the Nebraska Liquor Control Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Bloomfield, Brasch, Coash, Karpisek, Krist, Lambert, Larson, McGill
Nay:
Absent:
Present Not Voting:

Proponents:

Sen. Colby Coash
Dave Landis
Brett West
Dennis Hoth
Doug Kindig
Jack Cheloha
Joe Kohout
Lynn Rex
Hobert Rupe

Representing:

Introducer
City of Lincoln
WRK LLC, West Haymarket Development
Southport West Partners, LLC.
City of LaVista
City of Omaha
United Cities of Sarpy County
League of Nebraska Municipalities
Nebraska Liquor Control Commission

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Section 6(1) authorizes a local governing body to designate an entertainment district with a commons area. The local governing body can revoke the entertainment district license if it finds that "the commons area threatens the health, safety, or welfare of the public or has become a common nuisance". The local governing body must file the designation or revocation with the Liquor Control Commission.

Section 6(2) states that the entertainment district license allows for consumption of alcohol in the commons area during authorized hours and when food is available.

Section 6(3) requires that when alcohol is to be consumed in the commons area, that it be served in containers that "prominently displays the licensee's trade name or logo . . ." One licensee may allow alcohol sold by another licensee to enter its premises, but no licensee can allow alcohol to leave the entertainment district.

Section 6(4) states that a licensee may obtain an entertainment district license if the premises is adjacent to the commons area.

Section 6(5) states the process for obtaining an entertainment district license. Section 6(5)(a) requires an application be filed with the Liquor Control Commission. Section 6(5)(b) requires a \$300 license fee paid to the local governing body. Section 6(6) requires the Liquor Control Commission to notify the clerk of the local governing body when an application for an entertainment district license is received. Section 6(7) allows the local governing body to impose an occupation tax on businesses with an entertainment district license in its jurisdiction. Section 6(8) states that the local governing body may cancel an entertainment district license with cause and the licensee may appeal the license cancellation to the Liquor Control Commission. Section 6(9) allows the local governing body to regulate the entertainment district with ordinances as long as they are not inconsistent with the Liquor Control Act. Section 6(10) states that violations of this section may result in the licensee's retail license being revoked, canceled, or suspended.

Section 6(11)(a) defines "commons area" as an area within an entertainment district shared by entertainment district licensees with controlled access points. Section 6(11)(b) defines "local governing body" as the governing body of a city or village with an entertainment district.

Russ Karpisek, Chairperson