

LB 1276
General Affairs Committee
Online Comments of Chris Wagner
Project Extra Mile
February 5, 2024

Our coalition is concerned with the consequences of allowing cities and villages of the second class to essentially skip the public hearing on a liquor license in their jurisdiction in order to allow the Liquor Control Commission to make a decision on an application that already has local opposition to it.

Our main concern is that it appears that this measure would absolve the city or village of its responsibilities under 53-134(7) to publish a public notice of the local hearing on the liquor license application in the local newspaper to inform citizens of the application. It is entirely plausible that by skipping the local hearing, that only businesses and/or property owners in the immediate area are aware of the application; however, it may well be that other citizens residing in that location would not otherwise be aware of the application and the fact that there is no public notice of that application, they would be deprived of their opportunity to share their concerns with both local leaders and the Liquor Control Commission because they would not be aware of the application.

Under LB 1276, it does allow protestors to file protests directly with the Liquor Control Commission; however, if they are not aware of the application, how can they possibly know do file such a protest? Furthermore, even though the Liquor Control Commission now typically offers a Zoom option for a protestor in another part of the state, some protestors might not have that technology and others may not be able to travel to Lincoln to take part in the formal hearing, which would be the only place for them to share their opposition due to the fact that the city/village opted not to hold a local hearing. We have coalition members that live in a city of the second class that have expressed frustration with their elected leaders' lack of interest in their concerns surrounding annual and special designated liquor licenses in their community. This bill would only reinforce these frustrations. Everyone should have a right to have their voice heard. LB 1276 would put that right at risk.

It seems that perhaps this bill was drafted to address one specific situation in Sen. Brewer's district, but we do not feel the legislature should make changes to our statutes because of one or two businesses that may be facing this situation. Liquor licenses present legitimate concerns in communities across our state, and a license is never guaranteed when an application is filed. LB 1276 seeks to prioritize profits over community concerns, and we'd urge you to kill this bill and allow the existing process to run its course.

Thank you,
Chris Wagner