

LEGISLATIVE BILL 70

Approved by the Governor February 14, 1989

Introduced by Smith, 33; Pirsch, 10

AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-101, Reissue Revised Statutes of Nebraska, 1943; to require retail licensees to post warning signs for pregnant women as prescribed; to provide for the distribution of information; to authorize a fee; to create a fund; to eliminate certain sections declared unconstitutional; to harmonize provisions; and to repeal the original section, and also sections 53-117.03 and 53-117.04, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 53-101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-101. Sections 53-101 to 53-1,121 and sections 2 to 4 of this act shall be known and may be cited as the Nebraska Liquor Control Act.

Sec. 2. Any retail licensee shall post in a conspicuous place a sign which clearly reads as follows: Warning: Drinking alcoholic beverages during pregnancy can cause birth defects. The commission shall prescribe the form of such warning sign and shall make such warning signs available to all retail licensees.

Sec. 3. The commission may issue or provide to any person regulated under the Nebraska Liquor Control Act a set of rules and regulations adopted and promulgated by the commission, a copy of the Nebraska Liquor Control Act, and any other information which the commission deems important in the area of liquor control in the State of Nebraska. The information may be printed in a booklet, a pamphlet, or any other form the commission may determine to be appropriate. The commission may update such material as often as it deems necessary and may charge a fee for the material. The fee shall be reasonable and shall not exceed any reasonable or necessary costs of producing the material for distribution.

Sec. 4. Any money collected by the commission pursuant to section 3 of this act shall be deposited in the Nebraska Liquor Control Commission Rule and

Regulation Cash Fund, which fund is hereby created. The purpose of the fund shall be to cover any costs incurred by the commission in producing or distributing the material referred to in such section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 5. That original section 53-101, Reissue Revised Statutes of Nebraska, 1943, and also sections 53-117.03 and 53-117.04, Reissue Revised Statutes of Nebraska, 1943, are repealed.