

Restaurant association says Nebraska should extend carryout cocktails to help businesses survive

Written by Paul Hammel

At Stokes restaurant in Omaha's Old Market, many takeout customers have taken advantage of the pandemic-inspired waiver of a state law that prohibits the sale of carryout cocktails.

A specialty margarita or mojito goes well with the Southwestern-style meals dished out by the eatery.

"It's a very nice option for people," said Tayler Jackson, an assistant manager.

Takeout orders have increased substantially at Nebraska sports bars and restaurants since COVID-19 hit in March. At Stokes, Jackson said, takeout now represents perhaps 35-40% of the restaurant's meals.

The extra revenue generated by sales of to-go drinks is inspiring the Nebraska Restaurant Association, as part of a national push, to seek a continuation of the waiver, even after the pandemic wanes.

"This is a way for our restaurants to survive and come out the other side of this pandemic," said Zoe Olson, the executive director of the restaurant group. "Hospitality is what we do. We want to continue this."

Olson said her group is seeking the introduction of a bill during the 2021 legislative session, which begins next week, to extend the ability to sell carryout cocktails. It's an idea that's already getting some pushback from groups that oppose binge drinking and drunken driving.

"When you increase the availability, and the ease of access to alcohol, that's when you get increased harms," said Chris Wagner, executive director of Project Extra Mile, an Omaha-based group that seeks to prevent or reduce problems associated with alcohol.

Not long after COVID-19 hit, Gov. Pete Ricketts authorized a temporary waiver of state law that prevented restaurants and bars from selling carryout alcohol in something other than its original packaging. The waiver allowed the sale of mixed drinks and other alcoholic beverages as long as their containers were sealed with a lid and not partially consumed.

Ricketts cited the economic hit that bars and restaurants suffered because of the pandemic prohibitions on dine-in customers and restrictions on capacity. At a later press conference, he remarked that the executive order he signed on takeout drinks was the most popular directive he'd ever approved. The waiver extends until the end of the pandemic emergency.

But Olson, of the restaurant association, said her members would like to see the waiver extended beyond that, at least on a trial basis.

The Nebraska Liquor Control Commission, which regulates alcohol sales in the state, has also asked for the extension, as part of its annual "wish list" of law changes sent to state lawmakers.

"We've been devastated by this pandemic, as everybody knows," Olson said. "But we're very important to the economy of the state."

A recent survey by the National Restaurant Association indicated that about 17% of the nation's eateries had closed since the pandemic began, and that nearly nine in 10 full-service restaurants saw an average drop in sales of 36%. Olson, though, said she thought Nebraska's restaurants had fared a bit better than that.

She said the association's proposal would include a requirement for some sort of seal on carryout beverages that, if broken, would indicate that someone had opened their takeout drink in transit. The proposal would also end to-go drinks at some point, so legislators could review the policy and decide whether it should be extended.

Statistics from the Nebraska State Patrol indicate that drunken driving arrests declined by about 24% from April 1 to Dec. 28 when compared with a similar time frame a year ago.

Olson said that indicates that carryout drinks haven't caused a problem.

Wagner, of Project Extra Mile, however, said the statistics don't show whether those arrested had to-go cocktails.

Cody Thomas, a spokesman for the Nebraska State Patrol, said he couldn't say definitively, but that a reduction in traffic and other COVID-19 impacts may have contributed to the decrease in DUIs.