

are putting that in is that the Liquor Commission has on occasion not granted a license to an applicant for one reason or another, and when this applicant or this party appeals this decision, the court will usually grant the license because it appears that the Commission's decision was arbitrarily. LB 124 as now proposed would establish guidelines for the Commission and it would also establish guidelines for the courts to follow and, of course, this is very important when this party appeals to the court for a decision. I truly believe that we need this bill as drafted because it will tighten up some of the rules and regs that we have. We need to adopt and pass this bill as drafted. We do not need the Fowler amendment because I believe we need all the guidelines that we can possibly spell out for the Liquor Commission. Therefore, I would urge you to oppose the Fowler amendment.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, I had numerous questions concerning this bill when it was on General File. I asked Senator Hefner several times, many different ways, the intent of this bill, whether in fact this was an endeavor to close the shop, to restrict competition, to enhance those people now holding a liquor license from additional competition coming into the area. At that time, Senator Hefner wasn't sure or didn't want to answer those particular questions as to whether this in fact increased competition or whether this in fact narrowed competition in this particular industry. Now Senator DeCamp has made it very clear that the intent of the legislation, the practical results of the legislation will be to make it very difficult to, or at least more difficult for the issuance of new licenses. It is kind of interesting that Senator DeCamp was lamenting the fact that liquor licenses have a high price tag by the mere virtue of being a license and being in a restricted and controlled industry. This will only tend to make those licenses more valuable, more blue sky. The state through rules and regulations creating personal and individual values. I think Senator Fowler's amendment, and I am not sure exactly what its total effect on the bill is, but it certainly brought to play, brought to light the direction this specific piece of legislation is heading. I would think that we are establishing criteria in (a), (b), and (d) sections. I think Senator Fowler makes a good point that in (c) the criteria is fuzzy, nebulous, almost as Senator DeCamp says, using his words, "giving a blank check to the Commission". I am not sure that is good policy. I think Senator Fowler's amendment does a lot in the general direction of the bill initially to give criteria, a reasonable criteria, and to take out Section (c) which seems to be an omnibus, broad, almost