

Commission work those things out. We will let the Liquor Commission develop through rules and regulations what these terms mean. I think we need a little better definition than that. I think before we enact this into law, before we limit access to liquor licenses, we had better know on the floor of the Legislature what we are calling for. Now public convenience and necessity Senator Hefner said might be the number of people in a community. Basically then all we are doing is giving the Liquor Commission authority to establish a quota system, one liquor license per one thousand people. It seems to me that we are reaching too far in terms of delegation of authority, as far as what this agency can do. If we cannot explain to an applicant what they have to prove to get a liquor license, then I think that we are doing a disservice to everyone in the state. So I would suggest that Section (c) and (d) be struck from the bill until such time as we can actually define what the intent of the Legislature is with regards to these sections. I don't think it is satisfactory simply to stand up and say we are going to let the Liquor Commission decide what these terms mean. I think we have to assume some responsibility ourselves to be able to explain these.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Hefner, do you wish to be recognized?

SENATOR HEFNER: Mr. President, members of the body, just a few points of clarification. This amendment does take out both parts, (c) and (d). I think Senator Dworak said it would just take out (c) but it takes out both parts. Then Senator Fowler said what we are doing, we are setting up guidelines or rules and regulation that perhaps that there would be only one license per thousand people. Well, this is not what we are intending to do and I don't believe that we are doing this in this bill. This would still be up to the local village board or local control and I believe that what we are trying to do in this bill is just spell out a better interpretation of the guidelines that the Liquor Commission have to follow. Also when this applicant feels that he is not getting a fair shake and he takes it to the courts, that this would spell out guidelines for the courts to follow, and, therefore, I would urge you to oppose the Fowler amendment.

SPEAKER MARVEL: Okay, Senator Newell, I will recognize you and then we go back to Senator Fowler to close on his amendment and then we have got about five bills we want to push across, if we can. Senator Newell.