

February 23, 1981

LB 124

SENATOR NEWELL: Yes. Very simply, Senator Dworak, you took great advantage of me when I was going through (a), (b) and (c) and (d). They are different (a), (b)s and (c)s. I am not talking about the sections of the bill. I was talking about the arguments for public need and convenience. Now the situation is simply this is that you take the criteria out if you adopt the Fowler amendment. You take any criteria for basing a liquor license, not any criteria, you take most of the criteria for authorizing a liquor license if you take this out. I am opposed to it. This is a well thought out bill. It is one in which the Commission, the industry, everyone is in concurrence. It is not going to make the liquor license all that much more dear. It is just going to allow some criteria for denial.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKER: Mr. President, I would like to ask Senator Hefner a question if he would yield.

SPEAKER MARVEL: Senator Hefner, do you yield?

SENATOR VICKERS: Senator Hefner, would you explain to me how the Commission is going to determine whether or not an applicant as spelled out in Section (c) in the small town in rural Nebraska is going to determine the required...let's see, "...where the described premises are located is or will be required by the present or future public convenience and necessity...", the proposed service, could you explain to me how that is going to be determined?

SENATOR HEFNER: Senator Vickers, are you talking about Section (2) (c)?

SENATOR VICKERS: I am talking about subsection (c) of Section 2, yes.

SENATOR HEFNER: Okay, I would say that the Liquor Commission will consider what a local government has proposed to them.

SENATOR VICKERS: Could I read that to mean that if there is one beer joint in the community the size of my hometown, 250, that they are going to take the number of people and divide it by the number...how are they going to determine the present or future needs of those number of people? I guess that is what I am trying to understand. How do they know whether there is a need for one establishment or two based on the criteria set out there by "the convenience and necessity required by the present or future public"?