

February 11, 1982

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activity in case it would be. We are trying to make sure that there won't be an abuse down the road.

SENATOR VICKERS: I understand that, but I guess my concern is that the Commission really has no expertise as far as the credit card industry is concerned, and I am a little concerned in allowing the control over credit cards to be placed with the Commission instead of with the department of this state that already does have some expertise in that area.

SENATOR NEWELL: Senator Vickers, frankly, I wouldn't care about the credit card. It is just an additional safeguard. Now the Commission is going to approve BankAmericard, Visa, American Express, I mean they are going to approve that or else they are going to get so much flak, but what it does do is it authorizes them to say that Mickey's credit card just issued here after the bill went through will be utilized. That is the purpose of it. I really don't care if it is in there, but I think it is a tighter, more specific way of doing it.

SENATOR VICKERS: Okay, thank you, Senator Newell. I, personally, am a little bit reluctant to adopt this measure not having an opportunity to read the language or see it before us. I would assume that there is probably nothing wrong with it, but I do have a little concern about the Commission that is being involved.

SENATOR CLARK: Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, I just have one question for Senator Newell. The classification that you have set up talks about 50 percent or more of food sales in a restaurant, the only question I have is the constitutionality of the classification. What reasons do you have for having this sort of classification and do you see any problems constitutionally with that sort of a classification?

SENATOR NEWELL: Well, that is a very important question and I really can't say whether that is an appropriate classification or not. The original way it was done was said that food for only restaurants where food is served on the premises. That is the original way I had it drafted. Now, that means if you sell a bag of potato chips, that could qualify as a place where food is sold, and so my desire here was to try to tighten it up. I am

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