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FLOOR DEBATE

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The word "shall" is so strong that the legislative intent does not have to be followed, according to a Court of Appeals. We need to get rid of that word "shall" and change it to "may." Does that open it up? That simply gives the Liquor Control Commission some control to express some judgment. That's what they're there for. And it allows persons like our cities, like Grand Island, Omaha, others to express some judgment about the density but also about the character. At the present, the city council can say, this person is a bad actor; we've seen him operate in other parts of town and we don't want him to operate here. According to the present law, you jump through four hoops and they are generic hoops that don't mean much. There's one that involves a felony but doesn't say it. You jump through four hoops and the Liquor Control Commission shall grant you a new license. They have no option in the matter. That's what we have to deal with here. Give them an option in the matter. Give them a chance to listen to local input and to evaluate it and to make the decision with some of that added in. "Shall" to "may" is the key part of the bill that is before us. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Kruse. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, this is one of those issues on which empirical or concrete, specific, statistical data are available. Everybody on this floor knows the types of communities which are going to be overloaded with these liquor establishments. They are not going to be in west Omaha. They're not going to affect Warren Buffett or his ilk or those people who might be named king of Ak-Sar-Ben or the places where maybe high-paid CEOs will settle. But they're in communities such as the type that I represent, where the people are not esteemed highly anyway, where despite me giving the best political representation I can, as a community, we lack political clout. That is known. And whenever you go to a city, all you need to do if you want to find out where the glut of liquor establishments will be is to ask, where is, as these...one hillbilly song said, where is the "po" side of town? Everybody knows that. I hope Senator Smith was not attempting to suggest that the wealthier areas of a city are treated, when it comes to the granting of liquor licenses, the same way as the