

January 12, 1976

SENATOR ANDERSON: Mr. President, I move that LB 581, as amended, be advanced to E & R initial.

PRESIDENT: Any discussion? You've heard the motion. Record your vote. Record.

CLERK: 32 ayes, 0 nays.

PRESIDENT: The bill is advanced. LB 412. Are you ready for this one, Senator? Alright.

CLERK: Read title to LB 412. Mr. President, there are no committee amendments or other amendments pending.

SENATOR ANDERSON: Mr. President, members of the Legislature. LB 412 is a bill that was introduced by the Miscellaneous Subjects Committee at the request of the Liquor Control Commission. The primary change that the bill makes is that in the case where there is an appeal and there is no one ... no protest involved in the appeal, then the appeal would be before ... would be determined before the District Court in Lancaster County. The primary reason why this is requested is that if it is not in Lancaster County this means that the Liquor Control Commission has to have their attorneys, their staff, running to various district courts around the state. It would eliminate the expense to the Commission involved in these particular cases. It's only where there is no protest involved. I would attempt to answer any questions if you have them, otherwise I move that the bill be advanced to E & R initial.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: Senator Anderson, will you yield?

SENATOR ANDERSON: Yes.

SENATOR CAVANAUGH: What do you mean "where there's no protest"?

SENATOR ANDERSON: If there is an objection and the objector withdraws then there's no protest involved.

SENATOR CAVANAUGH: So what's the nature of the action then? Describe a circumstance here, I'm not sure what's happening.

SENATOR ANDERSON: If the action is only between the person who is making the request for a license to the Liquor Commission, so the action is only between the applicant and the Commission and there is no one protesting either the issuance of the license or the failure to issue the license, then that particular case ... it's only between the applicant and the Commission, then it would be held in Lancaster County. If there is someone protesting, as I said, either the issuance of the license or not issuing the license then that protest would cause it to remain in the local district court.