

February 23, 1981

LB 186, 124

CLERK: 31 ayes, 1 nay, Mr. President, on adoption of the Pirsch amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 186 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Okay, a machine vote has been requested. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Record.

CLERK: 26 ayes, 8 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion is carried. The bill is advanced. Next, LB 124.

CLERK: Mr. President, there are no E & R amendments. Senator Fowler does have an amendment, however. His amendment is found on page 578 of the Journal. (Read).

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, probably the easiest way to understand the amendment is not to look in the Journal but to turn to the bill, LB 124. The bill is a Miscellaneous Subjects Committee bill that deals with standards for issuing liquor licenses and I put this amendment up because I think the bill did not get adequate discussion on General File or explanation of the implications of this legislation. It creates four standards on page 3 with regards to what it would take to get a liquor license, a retail license or a bottle club license. My amendment strikes number (c) and number (d). (a) is that the applicant is fit, willing and able to properly provide this service and (b) is that the applicant can conform to the provisions, requirements, rules, and regulations of the Liquor Control Act. Now (c) and (d) are new concepts, concepts that are carried in other regulatory functions, like motor transportation, airfare, construction of power plants and so on but (c) indicates that the proposed service within the area will be required by the present or future public convenience and necessity, and then (d) is that the operation of proposed service will be designed to meet distinct needs of each individual customer or a specifically designated class of customer. Now what concerns me is what are we creating here with regards to liquor licenses. The concept of public convenience and necessity I could perhaps