

SPEAKER NICHOL: Thank you. Senator Landis, please.

SENATOR LANDIS: Thank you. Mr. Speaker, members of the Legislature, I rise to support these amendments, which I have co-sponsored as well. To me the best way to look at the liquor control area is to make an analogy to the zoning powers that a city has. Both liquor control powers and zoning powers are grounded in the state police powers, the powers to regulate for the public's morals, health, or safety. Secondly, they both regulate economic choices. Third, they both create standards that are to be met to secure the rights or the powers to do certain kinds of economic acts with judicial oversight. And, fourth, they are both meant to allow a city to shape its future, to plan for growth, and to keep and insure the nature of that community for itself. That is what zoning is meant to do. And that is hopefully what liquor control should mean to do as well. Unfortunately, we treat these two very similar powers very differently. And because we treat them differently we have given up a rather great deal of local authority in the area of managing liquor control. Right now, in the City of Lincoln, there is a very great conflict between what our city council would like to do, what our citizens would like to do, and what the State Liquor Control Commission is authorizing for our city. My constituents do not want alcohol available on every street corner in the City of Lincoln. But if the Liquor Control Commission has its way, applying the standards that we've handed over to them, they will simply undo the wishes of my constituents. And I'm here fighting for them. I would not want the State of Nebraska regulating lot sizes, or whether or not my constituents were next to a rendering plant, or a trailer park, or the like, from statewide zoning control. And now that we've seen the liquor control run amuck, I certainly have to say I don't want my constituents to have to come down here, to a state agency, to see whether or not they have to reside next to a liquor store, a retail outlet, a convenient package store, or the like. My city council can be trusted with deciding what kinds of liquor license questions will continue in force, the nature of our community standards and our neighborhoods. And, for that reason, I support these amendments to LB 911. If there is a fear of too much local control, that there is just like there is in the zoning situation access to judicial oversight, if a city acts arbitrarily or capriciously in carrying out the standards which are permitted, authorized, and required by this bill for a city council to follow, and they include a review of recommendations based on the adequacy of law enforcement,