

of things out, if they wanted to do that. But the bill was deemed unconstitutional because of that equal representation and equal rights protection thing that we had there and there would be a different set of standards they'd have to go under, the ones who had a prior license, and the ones who would come under this new act. That made it unfair and unconstitutional. So that is why we had to try to address it this year. We still have some things that they said were unconstitutional. When it came down to the fact if we pass this piece of legislation the only option we have, if we're going to give the local people control, is to give them total control. So that is what this amendment, that I have added to the bill, is trying to do.

PRESIDENT: Okay, thank you.

SENATOR SMITH: Each community decides for themselves whether or not they're going to allow the license, but they have to follow the criteria set forth in here, so it's the same across the state.

PRESIDENT: Were you through, now? Okay, thank you. Senator Wesely. Okay, Senator Lindsay, please.

SENATOR LINDSAY: Thank you, Mr. President, colleagues. I do rise in opposition to the motion to return the bill for amendment. I guess at the outset I don't envy Senator Smith trying to craft a proposal to overcome a constitutional deficiency like this, they are extremely difficult to...I mean, lawyers work on them all the time and can't get them figured out right. So it is a difficult issue to try to work around. I do have some specific objections, I guess, to some changes that are included in the bill or, excuse me, in the amendment. I guess it starts with having an amendment that has some, what may or may not be substantial policy changes, and what may or may not be good policy changes. Don't know if they are or not. That, of course, is up to the body. But I think it should require some public input on some of those changes. Some of those...at least those that I guess I mostly strongly, or I think aren't strong changes and that should require that, I guess I'd like to go through a little bit. And I think they're listed out in your handouts, some of them. One is that the amendment has, as one of the policies, to restrict the consumption of alcoholic liquor. It may or may not be good. I don't know. I don't know if that's what the people want. The thing is I don't know if that has been open to public comment. We're adopting it on...or