

attempting to adopt it on Final Reading without getting some indication of what the people's, what their judgment on what that policy should be. Like I say, whether actual restriction, or whether it's just a matter of regulation, it should...and deserves public commentary. Second is the, I think, under...911, of course, was ruled unconstitutional and this bill was originally brought to correct those deficiencies. I think 911 gave the local governing boards the option of local control. This Legislature made a policy decision that local bodies should have local control. What 1851 would do is to require the local governing bodies to approve or deny liquor licenses. It's not an option anymore, it is a requirement that local boards do that. It's my understanding, and I'm not sure who, and maybe you would know your specific districts. It's my understanding there are some local boards that don't want to make those decisions, they want to leave that up to the Liquor Control Commission. They don't have that choice anymore. Under this amendment, the local boards are required to do so, the Liquor Commission has no say in it for the retail licenses. So it takes the Liquor Control Commission out of the game, basically. They don't have the discretion to issue or revoke, excuse me, they do have the issue to revoke but they don't have the issue to, or the ability to determine who should or should not receive the license. And I believe in the words of the amendment that the Liquor Control Commission will be exercising administrative duties, which are just basically...they'll be pushing the paperwork after the local boards have made the decisions in this particular area. It does cause a little bit of, I don't know if you say confusion or whatever as far as between...on license revocations. It's a matter of, I guess, who gets there first. The local governing board can revoke, or the Liquor Control Commission can revoke. As a matter of fact, I think the Liquor Control Commission can revoke and the local governing board can put it right back into place. I think that's the way it would work. I think my biggest complaint about it is the changing, and this was touched on, I think, briefly by Senator Lynch, is the change in the standard of review. I believe under 911 and under the current law, right now...

PRESIDENT: One minute.

SENATOR LINDSAY: ...the law that was in effect prior to 911, is now in effect right now with the unconstitutionality, it allowed an appeal from a decision of the Liquor Control Commission under the APA, Administrative Procedures Act, and that goes...the