

difference there is that the district court would have to find substantial evidence that the order was supported. And the Supreme Court then would review the entire matter referred to as de novo on the record. They would actually review the the evidence and make their own decisions on credibility of witnesses and that type of thing. Under 1851, I think it slants a little bit the other direction, that the appeal is made, I believe, to the...the venue is the county where the district court, where the local board is. But the standard of review is that just whether there was evidence sufficient as a matter of law, which is basically some credible evidence. If there is any credible evidence as far as whether the order should have issued,...

PRESIDENT: Time.

SENATOR LINDSAY: ...the order would be supported. I think there are some questions here as far as whether we want to make these policy changes. That is, I guess, my reason for rising in opposition to it.

PRESIDENT: Senator Smith, please, followed by Senator Haberman and Senator Weihing.

SENATOR SMITH: Well, Mr. Chairman, I don't know whether the body wants to listen to my explanation of every one of these points on both of the handouts they got. I'm prepared to do that, if they want to take...for me to take the time to do it. As I said, a lot of these things are very...I mean, there really is no substance at all to them. One of the things that Senator Lindsay...and I'm sorry, I was talking over here on the side with some other people, but I did hear...so I didn't hear the first part of your speech, Senator Lindsay. But the last part, where you talk about the change that takes place in the appeals process, I'm sure you're probably aware that cities cannot...the reason we had to make that change to the district court for that appeal process is because cities cannot act under the administrative, what is it, the administrative...yes, so that's why we had to make that change. See, we're trying to do what we have to do to make this constitutional and that is why we made the changes we made in the bill. That's the total reason for it. But, anyway, what I would do on my time now, and I'm going to press my light again right away, after it goes off, is start and go through, since you all have these handouts, and try to respond to some of the things that they have stated in here.