

jurisdiction. I think, Senator, that some of these things that are being said are not totally true the way that what this amendment will do. If the courts would say that the cities could have this authority now, we would not need this constitutional amendment. We've passed legislation twice that has said that we are giving the cities that authority. The courts have said, no, that isn't the way it is going to work because it is not in the Constitution. So we are attempting to put it in the Constitution. I think that this is...you are not looking at the whole picture of what is being attempted here. Thank you.

PRESIDENT MOUL: Thank you, Senator Schellpeper. Senator Elmer.

SENATOR ELMER: Thank you, Madam President. Some of the things that are being said here have really no bearing on what we are trying to do. We are trying to do exactly what is in our statutes, allowing a city or a local business or, excuse me, a city or a local county the ability to control liquor licenses within their jurisdictions. Senator Robak, could I ask you a question?

SENATOR ROBAK: Yes.

SENATOR ELMER: Thank you, Senator Robak. Doesn't...don't the local cities within your district wish to have some say about how many liquor licenses and alcoholic beverage licenses are issued within their municipalities?

SENATOR ROBAK: Well, it is my understanding that they do have that now.

SENATOR ELMER: However, the way it is set up now that the people appeal to the Supreme Court, and because of the way the Constitution is being interpreted, that right is denied them. Do you want to continue to deny them the right?

SENATOR ROBAK: Can you cite one...

SENATOR ELMER: Surely.

SENATOR ROBAK: ...place where it was denied, a liquor license by the Supreme Court?

SENATOR ELMER: No, granted, the liquor license was granted