

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1915/2dn
PEN:pgt:km

February 16, 1999

Representative Cullen:

This draft limits judicial review of alcohol licensing actions in cities of the first class (Milwaukee) to certiorari review of the action of the common council. See proposed s. 125.12 (2) (d) 2. However, most alcohol licensing actions, including hearings, are probably held before special committees appointed by the common council. See s. 125.12 (2) (b) 3. If the committee's report is included in the record of the action of the common council, the committee's report may be reviewed under the draft. However, if the committee's record is not included in the common council's record, it may not be reviewed under this draft. Do you want specifically to allow judicial review of the committee's record? Under current law, it appears that a complainant may review the committee's record under the current judicial review process, which allows the complainant to present evidence.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926