

application to have an area designated blighted and substandard. That application can be made by a city or group of cities or other entities. That will be referred to what is called, in the bill, the board. That board consists of three people--the Governor, the Secretary of State and the person who is in charge of investing the state money. When we come to the language that I'm talking about, on page 12, this is what it says, the board, that I just described, shall approve the area application if the proposed designated blighted and substandard area fits within the definition of such area under the act. One reason I wanted to talk about the breadth, the scope of the definition, is because a duty is placed on this board, a mandatory duty to accept the designation that this area is blighted and substandard once it fits within that definition. Any one of these things could be used by a city to come to this board and obtain that designation, and the board would be compelled to do it. Once you place a mandatory duty on a board or an individual such as this, that duty is rendered ministerial. There is no discretion involved. If the board even felt that such a designation is inappropriate, they have no choice but to declare it blighted and substandard. If they fail to do it, there is an extraordinary writ, called mandamus, that can be sought. The way this language exists in the bill, an individual or that group could go to court and get a writ of mandamus, and the court, based on this language, would order that board to make a declaration that this area is blighted and substandard. If you want to see what that definition is and the types of territory that could be covered by this, go back to the definition of blighted and substandard on page 5. And I know there may not be many people who will follow this or see it as even being important, but I want it in the record because I believe there will be occasions to challenge this bill. After you get past the provision where the board is compelled to declare this area blighted, that designation stays in effect for 36 months. So if you have property within that area, will you be encouraged to develop it if you think somebody may take it? Perhaps so and perhaps not. Would the designation of blighted and substandard be used in a very cunning way to depress the value of that property so that when it is taken the market value is low, it has been artificially depressed. There is a third possibility. Could somebody on the inside be aware of the opportunity to make money and buy up this property for the purpose of speculating, buying in an area that you have inside information on so that you get the property and can make a killing when it has to be condemned and taken. Those are possibilities. And I have an