

amendment that I'm going to offer to deal with that 36-month designation. Then we get down to line 18 where it says, if the board approves, well, the board has no choice. There is no way that any piece of property in this state can escape fitting under one element of this definition, so there is no "if the board approves". Any application for a designation is going to fit within the definition. So you have a conflict. The board must approve it, but when you get to line 18 you say, if the board approves it. So what I want to do, in line 15, after the word "shall", insert the words "if approved". So then this language would, instead of saying, "the board shall approve the area application if the designation falls...if it falls within that definition of substandard and blighted", it would say, "the board may approve the area". When you put the word "may" in place of "shall" you give the board discretion. By giving them discretion, you lift them out of the automatic realm of the mandamus. The board is given standards in the bill that they can apply, but I have another amendment to give them even more to dovetail into this. We then get down to line 15, which says, "such designation shall remain". Taking it a step at a time, after the word "shall", I would say, "such designation shall, if approved, remain in effect for the 36 months". If these two amendments are adopted, then I would deal with the 36-month aspect by itself. But the purpose of the two changes that I'm making now is to take away the requirement, the mandate that the board accept any application to have an area designated blighted and substandard. Right now that is the case. And I would defy anybody to look at what is included in the definition of blighted and substandard and show me how even the land this Capitol building stands on does not fit into that definition. There is no new business growing here, that fits a part of the definition to allow this Capitol and the land it stands on to be declared blighted and substandard. There are other things relative to the type of housing available, and other things. So whether it's a business area, a residential area, the suburbs or anyplace else, they can be deemed blighted and substandard. Once any element of that definition comes into play, the board would be compelled to declare it blighted and substandard. If they didn't, then a lawyer would say, get a mandamus, and a mandamus would succeed because the current language makes the board's duty strictly ministerial. In fact, if you don't adopt this amendment, there is no need to even have the board, just let these locals make the designation. The board, under the language in the bill now, is a rubber stamp. If you have any questions, I'm prepared to answer them. I tried to cover