

was the right track. By the way, I suspect you could require a hundred if you strictly read the combination of value and equalization. If you read just equalization, you can do that at any level. But, nevertheless, it seemed to me it was essential that if you once had a board, at least a majority of a board, that was willing to do what has long been lacking, that the Legislature endorses that effort and shows its support through this legislation. Now whether or not what the Attorney General would write for an opinion, I wouldn't even hazard a guess under current circumstances. I do know that historically...well, I do know that if you look at the statute, there's a dozen sections of law that govern how the Board of Equalization should act, so there certainly is, historically at least, and some of those cases have been from some of those sections, if you look at the statutes, and it had cases, case law that certainly is precedent. Historically, if the Legislature just put in a percent...

PRESIDENT ROBAK: One minute.

SENATOR WARNER: ...with no leeway for the board, then I would suspect that there might be a greater problem. Historically, we have been told that when you put in a range, a range in which a judgment can be used by the administrative unit, in this case the Board of Equalization, that you have greater constitutional leeway than otherwise. But I would...I would urge that the bill be passed today. If there are those who want to delay it a year and you want to hold off on the Board of Equaliza...on the emergency clause, that's one option. Personally, and I can appreciate the concern that some people may have, but what's in the bill is right, what's in the bill is what the Board of Equalization said they were going to do and this merely enforces it, but I would be reluctant to intentionally strike the emergency clause by amendment up front, or adopt Senator Witek's amendment because it simply will be interpreted that we reject what the Board of Equalization did last year in following both the Constitution and the...

PRESIDENT ROBAK: Time.

SENATOR WARNER: ...statutes, and that we want them to continue the inactive type of historical Board of Equalization that we've had up until a year ago.

PRESIDENT ROBAK: Thank you, Senator Warner. Senator Abboud.