

SENATOR BEUTLER: So, within that defined parameter right now they are also obliged as part of that to review the just compensation provisions of the federal Constitution and of the State Constitution, and to render an opinion as to whether those provisions have been violated. Is that not true?

SENATOR BROMM: I think to an extent that's true.

SENATOR BEUTLER: Well now, Senator, to what extent?

SENATOR BROMM: Well, to the extent that the Attorney General is to consider the constitution in reviewing the proposed regulation, I think that is true. Now, whether or not...I guess my understanding is not that his review goes so far as to suggest that this may constitute the taking of property. I don't...I don't understand that. I guess I would be willing to listen if you have information to that effect that I don't.

SENATOR BEUTLER: Perhaps my understanding needs to run deeper of what the just compensation provisions of the constitution are. But I guess my understanding would be that when he looks at a particular rule and regulation insofar as he's able to tell without having a particular fact situation in front of him, and I guess that's something I'd like to talk more to at a later point in time, how do you make these decisions when you don't even have fact situations in front of you. But in...anyway, with respect to the just compensation provisions, I assume he's looking at those provisions to see if there...if any of the rules and regulations would, in and of themselves, constitute a violation of those provisions in terms of being a taking of property without just compensation. Isn't that...you know, whatever that constitutional amendment is about, he's looking to see if it's violated, does he not?

SENATOR BROMM: I don't know, Senator, I would hope so.

SENATOR BEUTLER: Okay. With respect to the approval process then, the Attorney General looks at these rules and regulations, and of course he's been doing this right along. And my understanding, from talking with the Attorney General's Office, is that they consider all of this information privileged information. And if we're trying to make some distinction in calling it treated as privileged, as opposed to establishing an attorney-client relationship, I guess I have two questions, one,