

SENATOR BEUTLER: Senator, I'd be glad to do that, although I am not sure there is much point in doing it in the sense that Senator...neither Senator Jones nor others who have been actively supporting the bill have agreed to the amendment as such. I think the only agreement has been that they would like to talk about it.

SENATOR BERNARD-STEVENS: Well, just...for the sake of my enlightenment, would you...could you let us know what the thrust of the amendment would be?

SENATOR BEUTLER: Sure, there is no secret. Basically, it takes the existing subsection (c) and changes one word there in order to make the language comport exactly to the language that was created by the Wickersham amendment in subsection (d) with respect to fiscal impact, and then it adds the language including potential takings impact to that subsection (c) language. Again, subsection (c) is existing language so it makes those two small changes there, and then it eliminates the new subsection (d) so that the law is integrated and we don't create confusing language but it is all integrated but it still has the word "takings" in there.

SENATOR BERNARD-STEVENS: Okay, and is there any portion of 168...I sense what you want to...what you're, at least, debating about adding to it, and I understand there is no consensus or agreement on that portion, but the 168, as it now stands, would still remain, that is you'd still have the hearing process, and you'd still have agencies look and check for rules and regulations that may be an illegal taking?

SENATOR BEUTLER: You would, except, remember, you are dealing with current law. They are supposed to be doing this anyway.

SENATOR BERNARD-STEVENS: Correct.

SENATOR BEUTLER: Okay.

SENATOR BERNARD-STEVENS: So that portion doesn't change. That portion which directs them to do what they are already doing?

SENATOR BEUTLER: One word changes, but, I mean it does or it doesn't. You can characterize it the way you want, Senator.

SENATOR BERNARD-STEVENS: No, I appreciate that. Thank you.