

it comes to talking about the fiscal impact. In fact, if all of these amendments are going to be added that are, in fact, going to start to cost an inordinate amount of money to accomplish what appears to be already being accomplished under the statutes that we are operating under, it will become more worrisome, I am sure, to many members of the body as well as myself. So I do, I do support the bracket motion simply because I guess I think I've listened long enough and I'd like to get onto something else, and let Senator Jones and those who are sponsoring this bill try to come up with something that would be more palatable, perhaps, to those that have been so dramatically opposed to what the bill is. So with that reason, and that reason only, I would support the bracket motion and hope to get onto something else while they are working diligently to try to come up with an idea that is more palatable. With that, thank you.

PRESIDENT ROBAK: Thank you, Senator Vrtiska. Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, there is no form this bill can take which I would support. No matter how much cleaning up of the drafting Senator Beutler's amendment will do, as long as it has that factor in there requiring the agency to consider these...this taking, and to make an estimate of the fiscal impact, that estimate cannot be done without the inventorying of the property. It cannot make an estimate without having some basis for it. When we put a requirement on an agency in the law, the agency cannot say, well, we are just going to make an estimate off the top of our head because it is too difficult to do anything on which to base an estimate, that won't work. And a court would rule, I am sure, that when the Legislature put that into the law, it put it in there for a purpose. When an estimate is to be made, there has to be a basis, there have to be objective facts on which that estimate is based. Unless some study or some inventory is undertaken, there is no basis on which an estimate can be made. So no matter how this bill is rewritten, no matter how many of the excess words are eliminated, as long as there is a requirement that an estimate of the impact of this taking be made, the agency had that obligation, and here is what we look at now. Under the bad drafting of the original proposal, the only impact that had to be looked at was that which fell on the state, and for Senator Wehrbein and others who are looking at a fiscal impact, now you have to look at the impact on the other categories, and they are these; the impact on state agencies, political subdivisions, and persons. So that means you've