standard is used for a good faith effort? I mean if a county says all the right things, but they just don't want to get it done, and they say, hey, we tried hard, who is there that's going to say, no you didn't? And how do you justify and actually predict what is and what is not a good faith effort?

PRESIDENT ROBAK: Senator.

SENATOR WARNER: Madam President, members of the Legislature, Senator Bernard-Stevens, as you I believe indicated, this whole section deals where an action for a consolidation of offices or counties are generated by a petition, signed by citizens, 10 percent, I believe, had voted for Governor in the previous election.

SENATOR BERNARD-STEVENS: And the key word there is registered voters, if I remember.

SENATOR WARNER: Yes. And the...this is a provision that if the county board fails to act, that this is the incentive for them to act. I assume if they fail to act you probably are getting to probably a writ of mandamus type action, bring the court to require them to proceed. But that's the whole basis for (inaudible).

SENATOR BERNARD-STEVENS: Okay, so, Senator Warner, I guess I'm...the last...your last comment may have confused me or I may not have heard it correctly. Did you say that you felt there may not be any real basis for this portion of it on failure by a county board?

SENATOR WARNER: No, I said that was the basis for it, was the incentive for a county board to act on a petition by citizens in this area.

SENATOR BERNARD-STEVENS: Right, but would you also concur with the fact that we can say that they have to do in good faith, but it's questionable how you would define what good faith is, and it really has no practical effect on what a county board does?

SENATOR WARNER: Well, the method of removal from office is Section 23-201 is where county offices removed by judicial proceedings.