

to have. It's not true and the United States Supreme Court said that in a case called Tulare. And they said that what you look at is the normal governmental authority and you look to see if its actions disproportionately, the actions, not the way that it actually does carry it out, but it's actions and it's statutory authority, does it disproportionately affect the landowners? And if it does, and if most of those costs are assessed against the landowners because you represent or you have a purpose there, that you don't have to comply with Reynolds v. Sims. one person, one vote. And so I think the discussion has got to include that legally this can be done, that you ought to wipe that off the table. Now if the argument is that isn't fair then that's a whole other argument, then the Legislature can decide what's fair or not. And so if I look, for me, if I look on the one person, one vote side, and then the other side is let the landowners entirely decide on their own, you've got two directly competing sides. And so what was the logical thing to do? Go in the middle and let whatever NRDs do whatever they want to do. If they want to be one on one, great. If they want to let the landowners do all of it, great, they will do that. What is it? That's the current law. The current law is the middle position and this is the tug and the flow to put you back over to the other side. You're being asked to shift those sands again. I think Senator Coordsen was extremely accurate saying, look, if they want to be able to do it, if they want to subdivide it, they can do it. Senator McKenzie, I think, appropriately puts in and her amendment, at least at this point in time, tries to keep that status quo. She does make some changes but that the middle ground is what the current law is. It's "clicheish" and I'm not going to say if it's not broke, don't fix it, so you ought to exclude that. But the middle ground is what the current law really is and, legally, you can do it. The Supreme Court is going to stay in opposition. If the people who think that this is illegal, they ought to go to court to change that and not go to the Legislature to do that. With that, I would certainly support the McKenzie amendment at this point in time. I think that well enough is where the current law is. Thank you.

PRESIDENT MOUL: Thank you, Senator Kristensen. Senator Beutler.

SENATOR BEUTLER: Madam President and members of the Legislature, I'm not sure where to begin. There are so many points, I think, that need further discussion. These NRDs have