

1 actually taken, but merely damaged, as the General Assembly
2 defines damages. The General Assembly may define damage
3 as being a broad right. They may decide to define it as a
4 right the same as it is defined by the decisions of the
5 Courts, but they may also define it in a very limited way
6 and could define it really as being no broader than the
7 taking of property.

8 Now, if I misconstrue the amendment, I hope the
9 Chairman will respond. I do believe that if I interpret the
10 amendment correctly, that it gives to the General Assembly
11 in effect the right to remove the word, "damaged", from the
12 Constitution.

13 I don't mean that literally. Obviously, they
14 can't do that, but they can define "damaged" in such a
15 limited way that the right which the Committee intends to
16 give will be absolutely nothing, will be absolutely worth-
17 less, and if I am correct, then I am disturbed by the
18 Chairman's acceptance of this amendment.

19 THE CHAIRMAN: Any other Delegates desire to
20 speak on the amendment?

21 Delegate Macdonald.