

1 that I think this amendment offers the best possible solution
2 to a very, very difficult problem and a problem really that
3 in my judgment ought to be handled in a legislative arena
4 rather than in a Constitutional Convention.

5 I disagree with the sponsor of the amendment's
6 intention, and I have to disagree in this fashion. I think
7 the Committee Report is clear, that where property is
8 physically taken, compensation has to be given for that
9 physical taking. I think the Committee Recommendation is
10 also clear, that when there is not a physical taking, but
11 there is actually damages to a property, because of the
12 taking, that those damages have to be compensated for.
13 However, the extent of those damages is going to be under
14 this amendment as defined by the legislature. That is the
15 way I interpret the amendment. That is the intent that will
16 be in my vote when I vote for it.

17 THE CHAIRMAN: Any other Delegate desire to speak
18 in opposition?

19 Delegate Kiefer.

20 DELEGATE KIEFER: Mr. Chairman, Ladies and
21 Gentlemen of the Committee, I don't want there to be under