

January 18, 1974

SENATOR LEWIS: This is true, and this has nothing to do with the value. It just implements a program that is presently available. Senator Carpenter would you like to speak on this?

PRESIDENT: The chair recognizes Senator Carpenter.

SENATOR CARPENTER: If the body will recall, the other day, they are having a deal of trouble in reimbursing. What might be exceptional amount whose signs they are taking. And an extent they might damage their business to the point they can prove it. I suggested to the Senator that one of the answers might be his amendment. And I concur with his attempt to do what is necessary. Now all this does is put this whole area in the area of condemnation. It says in the highway department you can sit down and negotiate with these people, if you can arrive at an amount that is acceptable to both, that's all there is to it. In the event that you can't, in many cases I presume that they

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wouldn't do it. Because the highway department and the expiring of land in my own personal knowledge doesn't use much judgement sofar as reimbursing those whose property they take. And if you've ever had any experience with them I believe that you would accept that statement as being factual. Now this puts this amendment in the same catagory as the acquiring of land, and it has the same purpose as those whose land..whose property they are taking. Now as a matter of procedure they would sit down with the man who owns the sign or series of signs. They'd attempt to work it out. If they couldn't why then they automatically put back in the county court the amount that they thought is a reasonable amount to pay those whose property they are taking. Then they have 90 days to leave the money there, and after the 90 days they cannot withdraw either the money or the action. I don't see how anybody can disagree that anybody has a right to take this thing to the court out of the procedures that are presided in the condemnation laws as they now exist. Now I spent much time, together with Senator Mahoney and Senator Skarda in attempting to get the condemnation laws so they are realistic for as most of the time there is not a willing buyer or not a willing seller. And most of the time these people whose property we're taking to some extent gets undressed, and that's all right, but I think they ought to pay them to reclose them. And I don't think that the highway department should take the advantage they have as being rather unreasonable and arbitrary in order to make the determination to what they think is right to the elimination of everybody else. All it does is say these people can go to court under the laws of condemnation provide in this state on real property.

PRESIDENT: The chair recognizes Senator Kremer.

SENATOR KREMER: Mr. Chairman, I'd like to ask Senator Lewis two questions.

PRESIDENT: Will Senator Lewis yield?

SENATOR LEWIS: Yes.