

court. If you get more than a percentage of what the appraisers came back, then you get attorneys' fees and you get your damages.

SENATOR ELMER: Okay. Now just talking about Senator Lamb's proposed amendment to give some limit, and I understand that when the designers are building these highways they try to construct the right-of-ways so that a minimum of wetland needs to be invaded. If we leave the bill like it is and we would have the department buy up a large area of wetlands, like the State of Wyoming in the Crane Trust has done, it would appear that there could be an excess amount of property at some time. What would happen if the Department of Roads would have a large amount of wetlands they had no use for? Would they try to sell it back to someone or...?

SENATOR KRISTENSEN: Well, I don't think that would make real good sense because they could be able to use that bank and there's certainly going to be another project coming along that they could use it, you know.

SENATOR ELMER: Okay.

SENATOR KRISTENSEN: And if they...and if they get real carried away then that's just a waste of money and I think they are subject to a lot of criticism.

SENATOR ELMER: Okay. Another thing I wanted to...during this...even with this amendment, they can have half again as much as they anticipate over their six-year planning project and for a number of years there then they'll have, the Highway Department's going to have this extra land that they own that requires some sort of stewardship--maintenance care, fences, or things like that. Do you have any...can you tell me what kind of responsibilities that the Department of Roads would have for that land that they own that they have as a mitigation?

SENATOR KRISTENSEN: Well, again, that's going to depend. I don't have figures for that because that so depends on what type of wetlands you have and what you're going to do with it. That's going to be an ongoing problem at some point in time what you do.

SENATOR ELMER: You know (inaudible).