

adopted very easily, but the main amendment, of which it is a part, I think needs to be given serious consideration.

SPEAKER WITHEM: Senator Preister.

SENATOR PREISTER: Thank you, Honorable President, friends all, I believe that Senator Jones is very sincere in what he is trying to do in this bill and in attempting to protect the rights of property owners who feel that their farm and ranch land at times is being unfairly and unjustly impinged upon, taken from their use and from their ability to provide for their own and their families' livelihood. I commend him for his looking out for his constituents and for the people across the state who aren't directly his representative people. However, I think that one of the things, and we're doing more than just that, but one of the things that we're doing, certainly as Senator Chambers points out, is that we're singling out one right and elevating it to a much higher status than any other constitutional right. That's one of the problems. Another problem is that we're doing an end run around the Supreme Court, excuse me, around the court, not necessarily the Supreme Court although it could get there. We're saying that right now there is a process that if there is a takings, the court protects the right of a property owner that we're going to do an end run and we're going to do an assessment and we're going to circumvent that process. I think we're getting into the area of separation of powers here. I think that's another potential problem. We have a problem with people who are out there who are known and potential polluters that we could end up paying for, but I think one of the real issues here that we need to stress is that this is really an unfunded mandate and I don't know that we're really looking at that. We're going to create additional tax burden to the taxpayers of this state. We're going to be saddling them with the cost to these agencies to make these assessments. We're going to primarily be looking at accountants' fees, attorneys' fees and those costs that are going to have to come into play in order to satisfy the requirements of this bill. I think, for those people particularly who are concerned about unfunded mandates, you might find it interesting that Colorado state Representative Tony Grampsas who is Chairman of their House Appropriations Committee put it very well when he wrote, and I quote, "As fiscal conservatives and believers in limited state government, we successfully opposed state takings bills because they were expensive budget busters which would require large and