

write into it what has been called the Bill of Rights so that people in those states would know that there were certain rights of such a high priority that they would be designated as those which the federal government could not infringe upon. So don't feel that we're talking about rights that have been given to the people, we're talking about rights that the people would always have but we have to set barriers against the government taking those rights or interfering with them. If the philosophy of Senator Jones and of Senator Bromm is that the constitution and the case law do not provide adequate protection then let's give a listing of every right mentioned in the Bill of Rights and treat them all the same, then we maintain that parity, that relationship...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...of one to the other. But this idea of carving out one right and saying it is more worthy of protection than others or that it is more threatened than others is not acceptable because it is not valid and it is not based on the facts that would be used to justify what they're doing. There are other rights which the federal government has infringed but they are not property, and I will have the opportunity to go into them in more detail as we proceed.

PRESIDENT ROBAK: Thank you, Senator Chambers. Senator Beutler, do you wish to speak to the Chambers' amendment?

SENATOR BEUTLER: Madam President and members of the Legislature, I don't intend to speak more than this time and maybe once more, depending on what else is said on the floor. But there was one thing that was represented that I do not want to let stand because it simply doesn't represent, in my view, the constitutional history of takings law and what's gone on in that field. And the representation was that slowly, over time, individual property rights were being eroded giving the impression that under the just compensation provision of the United States Constitution that somehow they are less today than they were at the time the Constitution was written or in the time period since then. And I want to make clear to you that to the contrary property rights have not been eroded under the just compensation provision but rather over a long period of time they have slowly been more protected. Back when the constitution was first framed and the just compensation clause of the Fifth Amendment came into being, basically there was an