

1 do that?

2 MR. SCANLAN: I recall, and maybe you can cor-
3 rect me, that the provisions of 40, 40(a), (b), and (c)
4 of the Article they were discussing in our Committee,
5 and those were among the provisions that we agreed should
6 be eliminated as unnecessary and cluttering up the
7 Article, with a simple statement, expressing the right
8 of eminent domain in the Legislature would be sufficient.

9 MR. BROOKS: That is right. This was deferred
10 to the Declaration of Rights to make the recommendation
11 they are today making. Originally, this was assigned to
12 three different committees, and in order to prevent
13 duplication, we resolved it by simply referring it all
14 to them to put in such a provision on eminent domain.

15 THE CHAIRMAN: The Committee on Legislative
16 Department, as I recall it, makes no mention of this in
17 its report. This Committee makes no mention of these
18 sections, and I think we ought to pick it up one way or
19 another.

20 MR. SCANLAN: I thought in one of our reports
21 it was included in a section recommended for omission.