

from the way things are done now when we talk about blighted, substandard property and how property is condemned and under which circumstances. This bill is making tenuous references to the Constitution and trying to construe and interpret it to make what's being done all right here because we're dealing in artificial definitions. And the definition being used here is not for the purpose of saying the city or the state or some other entity that can exercise the power of eminent domain currently has a use for this land and is going to take it, therefore these notices can be given. We're talking about some amorphous area with no boundaries, no limit in terms of what it would encompass, nor are we dealing with a situation where the land is going to be taken in any definite period of time. So when all of these things are taken into consideration and we have a new creature unknown to the law I think some safeguards ought to be put in. That's why I felt that the certified mail would make these people think seriously about what it is they're doing. You mention an inconvenience to the landowner or the rural resident. At that point, you have to weigh these competing interests and determine whether or not it's more important, in the overall public scheme of this activity, to make sure that the notifying agency can prove, in a documentary way, that it discharged its legal obligation or, at the risk of that notice not even being given, allow them to have a system that some people would feel is convenient for the recipient. That is the question that would have to be answered and I opt in favor of requiring that notifying agency to do what it should do. Having had dealings with people's property being taken on a massive scale, neighborhoods literally obliterated, I'm not trustful of these operations. But if the body feels that first class mail is sufficient, then maybe they shouldn't require any notice at all because that is saying, we trust you. It's a good faith thing, so we'll just leave it up to you to do whatever you think is right. I feel strongly about the certified mail requirement and the reason I do is because so much power of an undefined nature is being granted here that some safeguards have to be built in that currently I don't see in the bill. So now I'm going to ask you the question, having said all that, if...which do you think is more important, the convenience of the one who is to receive the notice or assuring that the notifying agency makes that effort?

SENATOR COORDSEN: Assuring that the notifying agency makes the effort would be my choice, given those two choices, yes.