

1 6242-S AMS SNYD 02 S5060.1

2 **SB 6242** - S AMD TO S AMD (S5067.3) - 000058

3 By Senators Snyder, Hargrove, Owen, Amondson and Anderson

4 ADOPTED 2/12/94

5 On page 5, line 5 of the amendment, after "compliance;" strike
6 "and"

7 On page 5, line 6 of the amendment, after "adopted" insert "; and
8 (d) evaluate whether the rule avoids the taking of private property for
9 public use unless no reasonable alternative exists that advances the
10 public interest"

11 **SB 6242** - S AMD TO S AMD (S5067.3) - 000059

12 By Senators Snyder, Hargrove, Owen, Amondson and Anderson

13 ADOPTED 2/12/94

14 On page 5, after line 28 of the amendment, insert the following:

15 "(3) For purposes of this section, "taking" means totally
16 destroying or rendering valueless private property, damaging by a
17 public use in connection with an actual taking by the exercise of
18 eminent domain, or when there is interference with use of property to
19 owner's prejudice, with resulting diminution in value. Police action
20 to prevent or abate actual damage to another is not considered a
21 taking."

22 **SB 6242** - S AMD TO S AMD (S5067.3) - 000060

23 By Senators Snyder, Hargrove, Owen, Amondson and Anderson

24 ADOPTED 2/12/94

25 On page 9, after line 3 of the amendment, insert the following:

26 "(4) "Taking" means totally destroying or rendering valueless
27 private property, damaging by a public use in connection with an actual
28 taking by the exercise of eminent domain, or when there is interference
29 with use of property to owner's prejudice, with resulting diminution in
30 value. Police action to prevent or abate actual damage to another is
31 not considered a taking."

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