

1 where they would not be able to operate if they had to fol-
2 low them.

3 MR. CLACETT: Mr. Chairman, I found my notes and
4 I believe where I made my notes on this point, I made a
5 little bit more of a concise digestion than I did a few
6 moments ago. Number one, the use would still be public and
7 for the use and benefit of the public. Two, it is a matter
8 of public policy, including right and desirability of com-
9 pensation, and three, it is a matter for statute, not con-
10 stitutional writing; four, it would be a restriction to try
11 to include it here upon the legislative prerogative, and
12 five -- would not apply.

13 THE CHAIRMAN: What was number two?

14 MR. CLACETT: Well, my five applied only to
15 counties rather than -- my two was, it is a matter of public
16 policy, including the right and desirability of compensation
17 and to whom.

18 THE CHAIRMAN: Mr. Scanlan?

19 MR. SCANLAN: In all these cases where, for in-
20 stance, you are joining a line with two counties, it would
21 be a settlement provision. I suppose it would be an assessed