

I think all of us are aware of the fact that there are some instances where the taking of private property is necessary. When that happens it is very important of course that every possible protection be provided to the landowner, the homeowner or the business owner. Over the years this Legislature has sought strenuously to provide as much protection as possible. We recognize that taking of property is a very traumatic event and that even though we try as a legislative body to guarantee that the individual will not suffer damage economically, oftentimes it is difficult to compensate the individuals as we would like to do. Therefore, a couple of years ago this Legislature saw fit to provide that when property was taken, that more than just the ordinary purchase price might be involved. For example, the relocation cost, the dangers, the cost of transporting equipment, many other problems were taken into consideration. Nonetheless, repeatedly, time after time I have had people come to me and say, my land was taken. I was given a sum of money and told to go out and buy other land. It was impossible to replace the land for the sum of money that was provided to me. I think that we know that in instances where a partial taking of property is involved, that it is sometimes even a more difficult problem to try to replace or compensate the individual. An instance where a partial property taking would seriously jeopardize an operation, for example, or jeopardize a business or the ability of that business to perform as it has been functioning can oftentimes seriously impact upon the individual's livelihood. There is no doubt in anyone's mind that when this happens that individual ought to be compensated. I have long felt and this Legislature took action a number of years ago to take away from the Game and Parks Commission the right to take property by eminent domain for the purposes of recreation. We said, in effect, that the director of Game and Parks, Mr. Mahoney, a very competent individual, a very concerned individual, a former member of this body, was not going to be allowed under any conditions to condemn land for the purpose of recreation. Then at the same time because of the peculiar nature of the Natural Resource Districts we allowed the Natural Resource Districts to take property by eminent domain for the same purpose. Now it is a strange corollary that on the one hand we have denied to that individual and that agency who are responsible for providing recreation the right of eminent domain for recreational purposes and then we turn around and we give it to twenty-four agencies of government, twenty-four managers, God only knows how many directors and employees. I do not dispute the fact that in very few instances has this privilege been abused. Most of the Natural Resource District managers with whom I have visited, most of the directors have told me they would not think of taking property by eminent domain for the purposes of recreation. It is for this reason that I felt that