

he knows that when you get into the courts, the attorney fees are going to be paid by the taxpayers and the farmer is going to pay his own so they have got a tremendous leverage over him but the large project is certainly not cut off because the Natural Resource District does not have eminent domain. If they are willing to sincerely negotiate and develop better relationships with the farmer, there are plenty of projects out there hunting for the funds with cooperative NRD boards without using eminent domain. What you are really talking about is the eventual tool, the club over the farmer's head, to make him settle for the price the Natural Resource manager and the board decide on, and in many of these cases, they are talking about what would be the sale value and they come in and take a farm, split it up, and that farmer doesn't have an option of buying another farm to maintain his livelihood, but we don't compensate normally for anything involved in this. Maybe it isn't totally unfair to attempt to compensate him beyond the normal market value of that farm if it disrupts his operation and forces him out of business. It is another angle I don't think people have looked at. You really are taking in a lot when you provide eminent domain for the Natural Resource Districts to bypass what basically we didn't give the Game Commission. I think you should look seriously at this bill and vote down the kill motion and vote the bill ahead and simply make the Natural Resource Districts more responsible to all the taxpayers in it, the farmers, and work in a fashion where they don't use that club over the farmer's head to get the project through. We are talking about a little club we give them and they want it and many of us want to take that club away, at least partially away, so they have to negotiate in good faith with the farmers when they develop projects, especially when those projects are pointed entirely for recreational purposes. Thank you.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I would like to call your attention to a couple of items. I don't think the Legislature ever intended that this body would grant to the Natural Resource Districts the authority of eminent domain for recreational projects. If you review the record, item #3, flood prevention and control, that is what I thought we were giving them the right of eminent domain for. Do you suppose for just a moment that we would give the Natural Resource District the right of eminent domain for erosion prevention and control? Can they come on my farm, condemn the property, build terraces, seed it to grass, and take possession because I have an erosion problem? I think not. That is one of the projects. How