

May 12, 1981

LB 243

purely recreational purposes, then we ought to be up front about it and do so in the manner which is best adapted and that is to the Game and Parks Commission. I would like to also that we are not only talking about water projects. Former Senator Murphy spoke many times about the tennis court that was built up in his area, bicycle paths and other objects that are built with tax funds for recreational purposes. I do not dispute the value of recreational purposes being included in the public good. I know there is justification for money being spent for recreation. The point I am arguing and debating is whether or not the right of eminent domain should be used for the construction of a recreational project where those funds, or those benefits are a major portion of the value. I think not. We have limited funds in this state at the present for soil and water development. There isn't any reason in the world why we should not limit the use of those funds for the primary purpose of soil and water conservation. Now there is no reason why we cannot enjoy those recreational benefits that are a secondary benefit. But to construct them strictly as a recreational project I believe challenges the original concept under which we set out under the Natural Resources District responsibilities. We have a very limited amount of funds. We are not going to be able to use those funds in the best manner possible if we just devote them to recreational activities. Now there are those who say that if we don't allow recreational projects per se to be built, that the urban areas will not benefit. Well, ladies and gentlemen, last Sunday there was an extensive editorial in the local newspaper which pointed out the Supreme Court decision which says the water belongs to the public. It pointed out that the public had an interest and a right and a responsibility to the water that lies both underground and aboveground in Nebraska. I may have some difference of opinion with that opinion, but I want to say this that it is in the public interest to conserve soil and water in the State of Nebraska regardless of whether it is at Chadron, Nebraska or at Falls City, or anywhere in between. The public benefits when we maximize our dollars to be used in the best possible way. What I am trying to tell you is this, that if you allow the projects to be built that have more than 75 percent recreational benefits involved, you are going to limit the amount of dollars that can be used on projects where flood control is very important. Now there are those who are already enjoying the benefits of flood control projects in this city and in other metropolitan cities in the State of Nebraska. Those citizens rightfully do enjoy those benefits. I think that therefore we have a good reason to request and hope that