

**ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010**  
**COMMITTEE STATEMENT**  
**LB970**

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**Hearing Date:** Thursday February 11, 2010  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Campbell  
**One Liner:** Change provisions relating to appeals from county planning commission decisions

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Avery, Giese, Janssen, Karpisek, Krist, Price, Sullivan
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Pahls
<b>Present Not Voting:</b>		

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**Proponents:**  
Senator Kathy Campbell  
Michael DeKalb

**Representing:**  
Introducer  
Lancaster County

**Opponents:**  
John Johnson

**Representing:**  
NACO Planning and Zoning

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 970 provides that an appeal of a decision by the county planning commission regarding a conditional use or special exception will be made to the county board. An appeal of a decision by a county board regarding a conditional use or special exception will be made to the district court.

Currently, a decision by the county planning commission or county board is appealed to the district court.

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**Explanation of amendments:**

The committee amendment replaces the original sections of the bill.

In any county in which is located a city of the primary class, an appeal of a decision by the county planning commission regarding a conditional use or special exception will be made to the county board. An appeal of a decision by the county board will be made to the district court.

In every other county, the current process will be used. The current process provides that an appeal of a decision by the county planning commission or county board shall be made to the district court.

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Bill Avery, Chairperson