

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB663

Hearing Date: Friday February 28, 2025
Committee On: Government, Military and Veterans Affairs
Introducer: Storer
One Liner: Provide for required education for members of county planning commissions and county boards and change provisions relating to conditional use or special exception determinations by county planning commissions and county boards

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

Vote Results:

Aye:	5	Senators Sanders, Andersen, Lonowski, McKeon, Wordekemper
Nay:	2	Senators Cavanaugh, J., Hunt
Absent:		
Present Not Voting:	1	Senator Guereca

Testimony:

Proponents:

Senator Tanya Storer
Dean Settje
Greg Hoegermeyer
Matthew Erickson
Bruce Rieker

Representing:

Opening Presenter
Self
Self
Self
Nebraska Farm Bureau, Nebraska Cattlemen,
Nebraska Corn Growers Association, Nebraska Pork
Producers Association, Nebraska Sorghum Growers
Association, Nebraska State Dairy Association,
Nebraska Soybean Association, Nebraska Wheat
Growers Association, Renewable Fuels Nebraska

Opponents:

Nancy Meyer
Jane Egan
Elaine Menzel
Edison McDonald
Misty Ahmic

Representing:

Self
Nebraska Communities United
Nebraska Association of County Officials (NACO)
GC Resolve
Self

Neutral:

Kris Bousquet

Representing:

Nebraska State Dairy Association

* ADA Accommodation Written Testimony



Summary of purpose and/or changes:

This bill proposes three substantive changes to a section of law relating to the duties and powers of county officials.

First, it would mandate two hours of education per term on the role of county commission or board members, to be developed and presented by the county attorney.

Second, the bill would provide that county board or commission members must grant a conditional use permit (CUP) or special exception solely based on county zoning regulations. Such county officials would not be allowed to require applicants to obtain federal, state, or local permits as a condition for granting such a CUP or special exception. The bill would require county officials to presume that the applicant will comply with local, state, and federal requirements and to approve the application unless there is factual evidence rebutting such presumption.

Third, this bill proposes a mandatory timeline for county planning commissions to act on such applications. Within thirty days, the commission would have to notify the applicant of any further information required for processing of the application. Within thirty days of receiving such additional information, the commission would be required to determine if the application is complete. Within ninety days after receipt of a complete application, the commission would have to either grant or deny the application or make a recommendation to the county board about granting or denying the application. Once a recommendation is received by the county board, that board would have thirty days to determine whether it is complete, another ten days to request any further information required for a final determination, and then thirty days from receipt to analyze whether the application is complete. After these steps are completed, the board would have ninety days after receiving a completed application to take final action.

Explanation of amendments:

AM 973 revises the continuing education requirement by limiting it to counties that have enacted zoning and by requiring that county attorneys also receive this continuing education. The amendment also provides for county zoning administrators to play a role in the newly mandated process for conditional use permit application review.

Rita Sanders, Chairperson

