

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 22, 1999 LB 822

a comprehensive zoning plan already in place, but the commissioners have not been able to vote on it yet because of the static in the counties. Half of them don't want it and half of them do, and so it's a big issue in some of the sandhill counties. But hopefully that they can get together and go ahead and try to get something put together before January 1, because I think that's plenty of time to do what we want to do. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Jones. Senator Beutler, on the Kremer amendment.

SENATOR BEUTLER: Mr. President, members of the Legislature, to be truthful with you, I'm against any kind of time limitation on this and the reason is that I believe back at the very beginning, when we passed the zoning laws of the state of Nebraska, those statutes which allowed counties to enact zoning, we made a major mistake, and that mistake was not putting into the law at that time a meaningful interim zoning provision. Because, if we had been thoughtful about it, we would have anticipated exactly how the process would play out over the years in Nebraska. And the way the process has played out and will continue to play out, this current crisis notwithstanding, is that the time will come in each and every county when some conflict of interest will occur, some impending change to the status quo will come up. It just happens to be in this case it's hog waste. But we should have passed an interim zoning provision, a provision that allowed every county to use it on a one-time basis, because we should have known that there would be a pending crisis. In any...in every situation there will be...it's almost bound to be a pending crisis of one type of another. Zoning laws, the final zoning laws that you passed, should be thoughtful. They take a long time. You ought not to be pressured in doing it. You ought not to be in a situation where you may do it wrong or too precipitously because you're racing against time and racing against somebody doing something before you can thoughtfully consider the question. And so we should have had...we should have had from the beginning an interim zoning provision that had no time line but could be used on a one-time basis, so that citizens could, in a thoughtful manner, exercise the right to democratically and lawfully control the zoning in their particular areas. So, obviously,