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LB 870

SENATOR DIERKS: Is it your intention with this amendment that even a county that is zoned would be required to comply with your...does your amendment skirt those counties that are zoned already?

SENATOR PREISTER: Senator Dierks, if there is no zoning requirement then this really, unfortunately, wouldn't apply. This really just applies where they have existing regulations and zoning.

SENATOR DIERKS: So your idea is then that they should...this applicant should be approved by the county planning commission and, if there's a municipality that's involved with it, should have an approval there before it comes to DEQ for approval. Is that right?

SENATOR PREISTER: That's correct, Senator Dierks.

SENATOR DIERKS: How do you understand the...the counterbalance between county boards and joint planning...

SPEAKER KRISTENSEN: One minute.

SENATOR DIERKS: ...county planning commissions?

SENATOR PREISTER: Well, my understanding is based primarily on Douglas County. The planning commission recommends and they can recommend denial or they can recommend approval, but it's the county board that then it's referred to and the county board then makes the action. The planning commission is a recommending authority. I don't know if that's true everywhere. I would guess that it's likely true, but I couldn't speak authoritatively on that.

SENATOR DIERKS: Thank you. I...and, of course, Senator Kremer talked about Hamilton County and that's been zoned for years. I guess that...that they must have had some reason, some logical reason, for refusing a permit if that was done last year, and that's the reason we have these zoning plans, is to regulate who can do this. I'm still getting...