

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

April 7, 2003

LB 754

I'll stop there and if there's any questions I'll be glad to answer them. Thank you.

SENATOR CUDABACK: Thank you, Senator Kremer. You've heard the opening on the committee amendments offered by the Ag Committee. Mr. Clerk, item on the desk.

CLERK: Mr. President, Senator Bromm would move to amend the committee amendments with AM1188. (Legislative Journal pages 1169-1170.)

SENATOR CUDABACK: Senator Bromm, you're recognized to open on AM1188 to the committee amendments.

SPEAKER BROMM: Thank you, Mr. President. I want to express a thank you to Senator Kremer and the Ag Committee for spending a fair amount of time trying to help with the committee amendment language so that it wasn't as objectionable to some of the people that had concerns about the original bill. And they worked very hard on it and I support the committee amendments. This amendment, if you would look at the committee amendments, it goes to page 5 and, as we have reread that language a few times that talks about the applicant for a conditional use permit or special exception may request a final determination by the county planning commission, and many who read that for the first time or even the second time questioned why we weren't talking about the county board of commissioners or supervisors, because in most cases, the permit is issued by the county board or the commissioners, supervisors or commissioners. Bill Drafting had indicated that if you go on and read Section 5, and I agree with them, that Section 5 and 6 does tie it back into the same procedure if the permit is being issued by the county board versus the planning commission. The statutes provide that the planning commission has the authority to issue a special permit unless the county has taken it upon themselves to have the county board issue that permit, and most all counties with zoning have reserved the power to the county board. So what this amendment does is to make it clear, clearer I guess, in the section on page 5 that this procedure applies to the issuance of a permit by the county board as well as the planning commission. So that's...it's...I would say it's a clarifying amendment. It