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LB 754

SENATOR CUDABACK: Thank you, Senator Chambers. You heard the opening on FA1261 to the committee amendments to LB 754. Open for discussion now, Senator Beutler, followed by Senators Chambers, Hartnett, Wehrbein, Connealy, Bromm, and Raikes. Senator Beutler.

SENATOR BEUTLER Senator Cudaback, members of the Legislature. Senator Kremer, let me ask you a question, if I might, because maybe... and, Senator Bromm, I would ask for your response too, for that matter. But my central dilemma is resolving what I perceive to be the desirable end of allowing both the county board and DEQ do comments and do requirements with respect to environmental issues. But I agree that there ought to be a process where you can efficiently get those determinations. What if you indicated that as part of a final determination, and before a final determination, the county board could require a copy of whatever application is intended to be filed with DEQ? And on the basis then require them...on the basis of the information that they request and on the basis of that application which they have in their hands, they then would be required to make a final determination. And that final determination could be requirements beyond what they intended to ask of DEQ, or it could be less, for that matter. And they could also require then, that with the exception of whatever requirements they specifically laid out, that the permit would have to be accepted by DEQ, approved by DEQ as requested in the application, so that they could not then, after the final determination, go file a completely different application asking for different things. To me, the problem with the process that's in the bill right now is that the county people have no idea...I shouldn't say they have no idea, but they have no legally defined idea or parameter with respect to what the applicant may ask of DEQ. And so if they...if we put upon them...or gave them the opportunity to get that information and to make whatever judgements they want to make about what was intended, and then set out their conditions in the final determination, that that ought to satisfy your requirement for an orderly process, and also the requirement of many who oppose this bill that the county have some input as to specifically how this is going to be done. And I would yield the rest of my time to Senator Kremer, and if there's more time, to Senator Bromm,