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LB 754

SENATOR KREMER: I think it talks about the planning commission, the county planning commission. And then down in line 24 it says, "except that the county board of commissioners or supervisors may choose to retain for itself the power to grant the conditional use." So I think it could be either one. Now the first part of this was already in existing statute and that's where it refers to the county planning commission, but then really the final decision is made by the county board and they can...and I think most of the time they do retain that authority themselves rather than the planning commission.

SENATOR CHAMBERS: So based on the existing law, why would the language allow the request to be made only to the planning commission if the board of supervisors has not given the planning commission that authority?

SENATOR KREMER: Well, the Bromm amendment kind of cleared this up too, because it stated again in there that it would be the county planning commission unless the county board had reserved those rights for themselves. So...but then the county planning commission always gives the recommendation to the county board. I don't think the planning commission can ever make the final decision. But it was clarified in the Bromm amendment.

SENATOR CHAMBERS: So when we're talking about the planning commission, we're only talking about that advisory...

SENATOR CUDABACK: One minute.

SENATOR KREMER: Correct.

SENATOR CHAMBERS: ...position they take and issue that to the county board.

SENATOR KREMER: That's correct, but then (inaudible).

SENATOR CHAMBERS: And there is no requirement that the county board do anything in a timely fashion, or is there, based on the Bromm amendment?

SENATOR KREMER: Well, I think it does based on the Bromm