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LB 754

down to line 22; Such criteria and standards may include, now, they don't have to include any of these things, may include, but are not limited to, the following factors: Consideration of the diversity of activities currently underway or being initiated by counties; a formal expression by the board that it is developing livestock development and processing sectors; and so forth. But other than that, there is nothing that we say that cannot be put in. For example, that the director shall not require a county to declare that it is tolerant of excessive dust, odors, flies, and so forth. But the director could put those in as some of the criteria which must be met in order to get that designation. Isn't that true?

SPEAKER BROMM: That they could put that in?

SENATOR CHAMBERS: Yes.

SPEAKER BROMM: They could.

SENATOR CHAMBERS: Let me ask you this, because we don't know, either one of us, what that director is going to do. Why, in line 23 on page 1, do we say "may include" rather than "shall include, but are not limited to?" Because if we say "may", not one of these things that we put in this bill has to be included in the criteria. Isn't that right?

SPEAKER BROMM: Yes. And I think...

SENATOR CUDABACK: One minute.

SPEAKER BROMM: ...when the amendment was drafted, Senator, we were...it was more or less a discussion of what kinds of things could this include. And so rather than nail it down without further thought and discussion and a public hearing and so on, that's why we said "may". Now, I'm not...if these are good criteria and standards, you know, I'm not particularly opposed to making that "shall" at all. But...

SENATOR CHAMBERS: Okay.

SPEAKER BROMM: ...it wasn't thought through real thoroughly,