

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

April 7, 2003            LB 754

Chamber. The house is under call. Senator Don Pederson.            And  
Senator Schrock. How did you wish to proceed, Senator?

SENATOR CHAMBERS:    Machine vote.

SENATOR CUDABACK:    Machine vote.            A machine vote has been  
requested. The question before the body is adoption of FA1264  
to the committee amendments of LB 754. All in favor vote aye,  
opposed nay. We're voting on the adoption of the Chambers  
amendment, FA1264, to the committee amendments of LB 754. Have  
you all voted who care to? Record please, Mr. Clerk.

CLERK:    3 ayes, 26 nays, Mr. President, on the amendment.

SENATOR CUDABACK:    The motion was not successful.            I do raise  
the call. Mr. Clerk, next item to the bill.

CLERK:            Senator Beutler would move to amend, AM1200.  
(Legislative Journal page 1173.)

SENATOR CUDABACK:    Senator Beutler, you're recognized to open on  
AM1200 to AM0912.

SENATOR BEUTLER:    Senator Cudaback, members of the Legislature,  
I hope this amendment brings together the material on page 5 of  
the bill. It's intended to be a kind of compromise amendment  
that affords county people the ability to deal with this  
statutory demand for a final determination in a way that is  
intelligent, and at the same time accommodates the sponsors'  
desires for a logical and integrated process in looking at the  
granting of conditional use permits or special exceptions.  
Under the language of the bill, when the county is so requested,  
it has to come up with a final determination with regard to the  
conditions that it intends to impose, in a timely manner. And  
this is done, you may recall, before DEQ goes through its  
permitting process. The problem with this, unless we're clear  
that the county has a right to all information that it wants,  
the problem with this is that the county does have prerogatives  
with regard to environmental questions, and may or may not have  
the information that it needs in order to make logical  
determinations in that area. And some of the information that