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LB 754

SENATOR CUDABACK: Senator Beutler.

SENATOR BEUTLER: Yes.

SENATOR KREMER: Maybe I'm not understanding. What does this really do that they can't do now? I'm thinking that before they would set out their final determination based on the conditions, that's saying that, well, I don't understand where you're going to spread the waste, or some other issues, that I need more information before I can do that. Are you looking...thinking that they need to give some more information ahead of what the DEQ is going to say? I'm just not sure whether this does anything at all different than what we're already doing in the bill.

SENATOR BEUTLER: Senator, hopefully it doesn't add anything to the bill that's not already within their prerogative. But you've added some new language and a new process called a final determination. And I just wanted to make clear that subject to that new process that we...that is somewhat undefined, that the county board still has the prerogative to require whatever information it deems to be relevant to setting the conditions.

SENATOR KREMER: I think they already could do that now. And I would expect them to do that, that if they don't have some information about...as far as the local zoning requirements are, that they could keep asking you for some more information to come back, as far as setbacks, as far as land use, good management practices, as far as the waste disposal, the number of acres, and everything like that, that they would automatically do that before they would ever give a final determination. Then they would say, based on what we know, you still have to follow these criteria, that you've got to follow what the DEQ says. But I'm fearful that there's maybe something in here saying that we've got to go through all the engineering and all that information and that expense before we can give you the final determination. So, do you have response?

SENATOR BEUTLER: Well, Senator, I'm not sure what you're saying. If you're saying that you think they can require whatever information is relevant anyway, then allow me a little