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FLOOR DEBATE

May 1, 2003

LB 754

starts with a final determination.

SENATOR CUDABACK: Senator Bromm.

SPEAKER BROMM: Yes.

SENATOR SCHIMEK: Are you with me?

SPEAKER BROMM: Yes.

SENATOR SCHIMEK: Okay. I can't make any sense of this at all, Senator Bromm, and I've read it and I've read it. It says, "If a final determination of the special conditions or requirements to be imposed has been made, final permit approval may be withheld subject only to a final review by the commission or county board to determine that there is not a substantial change in the applicant's proposed use of the property upon which the final determination was based and that the applicant has met, or will meet, the special conditions or requirements imposed in the final determination." I can't make heads nor tails of that particular sentence.

SPEAKER BROMM: Well, it's, in effect, a chance for a second bite at the apple. If you had made requirements or conditions in the initial findings that must be met, you don't have an issuance of the permit at that time, after the applicant gets perhaps his DEQ permit or satisfies whatever other requirements are contained in the county findings or conditions, they come back and then the county does a review to see, yes,...

SENATOR SCHIMEK: Okay.

SPEAKER BROMM: ...you've met one, two, three, four, and here's your permit; or, you've only met one, two, and three, so we can't issue the permit because you haven't satisfied the conditions. It's a two-step process.

SENATOR SCHIMEK: Okay. Why can't we explain it in this language like you just explained it so clearly? This is going to be very difficult for people to read and know what it says.