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LB 754

county, et cetera--although maybe that interplay all over the place wouldn't be so bad. But the second part of the...let me go to the third part of the bill. The third part of the bill is that part that procedurally requires factual findings from the planning commission and the board of commissioners when they are operating in this area, and right now under the bill it applies not only to livestock operations but to all findings on conditional permits. And I think that that is a very good part of the bill. That should be followed in any and all cases. And I think really that that's going to be the most helpful part of the bill in a procedural sense. So we don't seem to have any disagreements about that third portion. The piece that we haven't talked about is the part about final determinations and the manipulations in the bill, in that portion of the bill that have to do with the determination process. And I have an amendment up to strike that portion of the bill. I think it will probably be the only amendment that I will offer henceforth. And when we get there, I want to talk about why I think that the burden of proof hasn't been carried with respect to why those procedures need to be changed. So at least you'll have before you, I think, an opportunity to discuss these three things separately, which I think will be a good way to approach the problem. But with respect to the issues, or what I think is going on here, zoning ordinances have a legitimate place, and it is the place of determining within certain principles that have long been established the appropriate community land uses. And the local boards have a right to determine the relationship between one operation and another kind of operation; the spatial relationship of an operation to neighbors, for example, or to other things going on in the community. That's a right that they have under...

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: ...under the ordinances. They also have a right to deal with environmental issues, and those two things are appropriate objects of local control, things that they should decide upon, and things that I think we're seeking to protect as we discuss this bill. The thing that they should not be doing, which I think many people are fearful they are doing but I don't know if you can stop it other than to require