

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

May 5, 2003

LB 754

I see it, if we clarify the process and allow individuals to know the likelihood or the knowledge ahead of time of whether or not they have a chance of actually having a permit approved or not, based on the merits of the zoning ordinance that's in place, that benefits the small guy. Because the small guy doesn't have fifty grand laying around to fight a lawsuit and to go to court over the decision that was made, because they're going to spend almost all the money that they have available in the process of engineering and permits as opposed to employing lawyers, which the large facilities have. So, from the standpoint of what we're accomplishing here, I think if we would be honest with the realities, and that is we can pass this law and it doesn't address what Senator Chambers is making this claim of, that this only benefits the large facilities, because as I look across the state I don't know if there's a county that says you can't have class I facilities or any such language. It says we welcome this size or whatever. But the problem is, is that those size facilities, when they apply, regardless of whether they're either big or small, are denied. Some are approved. So let's learn from the mistakes that have been made and let's make a process that gets better. Let's improve the process because in the end it's going to be in the best interests of all citizens. So I rise in opposition to Senator Chambers' amendment. I rise in support of the underlying bill. I think the Speaker and the members who have worked diligently on this proposal have done their due diligence and have given their best effort to accommodate concerns. And as more concerns have come up...

SENATOR CUDABACK: One minute.

SENATOR ERDMAN: ...more amendments have been offered. As more amendments have been offered more concerns have come up. And it's just been a continual process of trying to improve this to address concerns. So I appreciate the efforts that are being made. I will continue to listen. I think Senator Vrtiska has set forth a good strategy and that is, you know, we might not have all the answers, but we're willing to listen. And I think that the Ag Committee and our Chairman and the staff of the committee have done our best in weighing the sides of this and put forth a balanced approach. Thank you, Mr. President.