



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 515**

Hearing Date: February 20, 2007
Committee On: Agriculture

Introducer(s): (Stuthman)
Title: Change county planning commission provisions relating to livestock operations

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

7	Yes	Senators Dierks, Wallman, Preister, McDonald, Dubas, Karpisek, and Erdman
0	No	
0	Present, not voting	
1	Absent	Senator Chambers

Proponents:

Senator Arnie Stuthman
Duane Gangwish
Andrew Kabes
Larry E. Sitzman

Representing:

Introducer, District 22
Nebraska Cattlemen
Self
Nebraska Pork Producers Association

Opponents:

John A. Johnson
Laura Krebsbach

Kenneth C. Winston
Vern Jantzen
Elaine Menzel

Representing:

NACO Planning and Zoning
Great Plains Environ Law Center/ Member of NE
Environmental Action Coalition
Nebraska Chapter Sierra Club
Nebraska Farmers Union
Nebraska Association of County Officials

Neutral:

Craig Head

Representing:

Nebraska Farm Bureau

Summary of purpose and/or changes:

LB 515 specifies procedures for a conditional use permitting process for livestock operations. The bill separates §23-114.01(4) into two subdivisions, setting out a procedure specific to conditional use applications for livestock operations as a separate subdivision (4)(b).

The revisions to subdivision (4)(b) made by LB 515 essentially vest in the county board exclusively the duty to provide a timely determination of approval or denial of the permit, or of the conditions to be imposed to conform the use to zoning standards. The bill strikes existing text making a request for final determination optional for the applicant and which currently assigns the duty to respond to such request to either the planning commission or county board. LB 515 assigns only a duty of the planning commission to provide recommendations to the county board. Conforming revisions are made elsewhere within §23-114.01(4).

Explanation of amendments, if any:

Senator Philip Erdman, Chairperson