

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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SENATOR PREISTER: Okay.

SENATOR CUDABACK: Can Jim Cudaback come in there the next year and build a home 1,000 feet from that plant?

SENATOR PREISTER: Yes, you could do that.

SENATOR CUDABACK: Well, then can Jim Cudaback say, in two years, hey, this darn plant's...I don't like this smell...

SENATOR PREISTER: No.

SENATOR CUDABACK: ...I'm going to drive this plant out.

SENATOR PREISTER: No, you wouldn't be able to do that.

SENATOR CUDABACK: But does this law say that? You know, I don't want to...you know, I don't...like the flood plains, I do not want people, you know, building in flood plains, then come back whimpering and hollering about why did the water...you know what I mean?

SENATOR PREISTER: Sure. You raise a very valid...

SENATOR CUDABACK: Okay.

SENATOR PREISTER: ...point, Senator Cudaback, and this bill specifically addresses that.

SENATOR CUDABACK: But...

SENATOR PREISTER: It says that you cannot establish a new plant, and so if that plant is already existing and somebody moves in next to it, the language in the bill is very clear that that person would have no rights...

SENATOR CUDABACK: Okay.

SENATOR PREISTER: ...to be able to challenge the operation of that plant.