

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

April 22, 1999 LB 822

SENATOR RAIKES: Thank you, Senator Schimek. Mr. President, members of the Legislature, I support this amendment. I think Senator Schimek has explained it very well. I will briefly describe my interest in this issue and the reason I submitted the original bill, which I find Senator Schimek was the only vote against. But anyway, I'll go ahead. The idea was...it was my feeling that this was an issue in state policy that had not been addressed, namely those counties that had not taken advantage of zoning regulations, which, admittedly, have been in effect for a number of years. But there are a couple of important developments, I think, that affect that. One of them is that I think it's been clear that the state policy is going to involve protection of particularly ground and surface water in this state, not location into individual areas. The second one is that there has been a lot of technical...technological change, particularly in livestock operations. Those two things made it clear that at least in some areas that they needed to move towards zoning, and without some sort of an interim or transitional measure, zoning takes quite a while. So this was an effort to fill, if you will, a policy gap that I thought existed. My effort was to provide...try to provide a mechanism that yielded a moderate result. I wanted to end up with something that was not an extreme result, either from the standpoint of someone who wanted to prevent development, or someone who wanted to aggressively pursue development. So moderation was a major incentive. And, by the way, I'd also mention one reason for moderation, you would want...not want to allow an interim plan that would in fact encourage someone to drop permanent zoning so that they could adopt temporary zoning, and do something more extreme than what was currently under the permanent zoning regulation. My belief also is that in the case of agricultural interests there was support...or there would be support because, at least in the long-term, agricultural interests, livestock interests and so on certainly recognize the need to accommodate interests in the localities in which they operate. I thought also that this would be an opportunity, by using zoning regulations of nearby counties, to provide an education in the process to accomplish a permanent zoning plan. So I think this amendment has...is an improvement over the original bill. It retains the features that I was interested in. So, again, I would urge your adoption. Thank you.