

February 26, 1973

SENATOR DICKINSON: Do not now counties such as Douglas and Sarpy and many others in the State have zoning powers that they can exercise in any way they deem reasonable and proper at this time?

SENATOR KEYES: They do not enforce the zoning laws. They simply state that any farmer or any feeder is classified the same and when that is that way, you cannot come out and zone for one group as the farmers because that covers all of the land that is on the outside of a city so farmers and commercial feeders are treated alike, see. We're not trying to stop a developer from coming out into the farming area and building his development but I am saying that when we have a man has an investment in a commercial feedlot that he should be protected and that's why I want to separate him from the farmer so that he can derive some protection. Yes, the county board has the right now to zone according to rural and it is farmer zoned agriculture, but there is no zoning for a special commercial feedlot like I'd like to see it.

SPEAKER: Well, Chair next recognizes Senator Epke and actually we still have, Senator Keyes has actually closed here, but do you have a question of him? Why don't you take time to raise the microphone there, Senator Epke, just--I always hate to see--that a way. Very good. Before Senator Epke speaks, the Chair would like to exercise a point of personal privilege here in that seated in the South Balcony this morning, we have from Senator Keyes' district over in Papillion, the Papillion Municipal School 6th graders, 60 of them. They are seated up there in the South Balcony, well some of them are seated. Most of them are standing. They are observing the action here at the Nebraska Legislature. Their instructor is Mrs. Hargett and Miss Davies, I believe. We're delighted to have you as observers here to the Nebraska Unicameral Legislature this morning. Now, Senator Epke, did you have a question of Senator Keyes?

SENATOR EPKE: Mr. President, would Senator Keyes yield to a question?

SPEAKER: Would you yield, Senator?

SENATOR KEYES: Senator Epke, yes.

SENATOR EPKE: Senator Keyes, how do you define the difference between the commercial feedlot and a farmer feedlot?

SENATOR KEYES: The commercial feedlot, Senator Epke, is one who feeds cattle, hogs, sheep and in the EPA its poultry although I didn't mention that, for hire. Now, a farmer can feed any amount he wants to and not become a commercial but the minute you start in and change your plan from your own to somebody else's in which you are hired and paid to feed them, that sets you up as a commercial feedlot and these are the ones that I want to protect. The rest of them are all farmers whether you feed one or 500 or 1,000.

SENATOR EPKE: Suppose, suppose he was feeding 1,000 head of cattle and had one pen of cattle of 100-150 head that didn't belong to him, the rest of them did. Would he then be classed as a commercial lot.

SENATOR KEYES: He would be classified as a commercial cattle feeder if he was feeding one for hire.

SPEAKER: All right. Question is shall L.B. 298 as explained by Senator Keyes and by his motion be placed on general file notwithstanding the action of the committee. All those in favor vote aye. All those opposed vote no. Have you all voted? Clerk will record.

CLERK: 4 ayes, 10 nays, 35 not voting.

SPEAKER: Motion fails. Do we have any other motions on the