

amendment appears on page 2608 of the Journal.)

SENATOR LABEDZ: Senator Scofield.

SENATOR SCOFIELD: Thank you, Madam President, and members, you will recall, on 775, that I had an amendment which suggested, in fact prohibited the giving of tax credits to a low-level radioactive waste site. Since that time I had refiled an amendment, and for the last hour or so have worked with the Tax Commissioner and the Governor's office to make sure that we didn't have any unintended consequences of that proposed amendment. The amendment that I am offering you, that just came back from the bill drafters, essentially has the same intent, and that is that we don't want to include in those tax exemptions or tax credits a licensee under the Low-level Radioactive Waste Act. It is deliberately drafted very narrow. The reason that we've got to do it this year is to retain control in Nebraska's hands as to whether we would wish that this kind of an endeavor would, in fact, receive a tax credit or not. If we fail to do this this year the decision will simply be made by the developer. We are an unusual compact in that we pick the developer and then the developer picks the state. We are not ready, in the process of making those decisions here in Nebraska, to make these kinds of policy decisions. It is the agreement of the Tax Commissioner and myself and the people I worked in the Governor's office with that this is not a decision, the siting decision should not be made on the basis of tax policy alone, so this is the agreed upon language. "Notwithstanding any provision of law, the Tax Commissioner shall not approve or grant to any person or taxpayer any tax credit or exemption for the construction of a facility or the employment of people for the disposal in Nebraska of low-level radioactive waste for which a license is required pursuant to the Nebraska Low-Level Radioactive Waste Disposal Act." As I said, I think I've got the blessing of everybody on this, practically, but the Pope. We agree that it's better not to dictate the site based on tax policy and I would urge your adoption of the amendment. I'd be happy to answer more questions if you choose to pursue that further.

SENATOR LABEDZ: Senator Lynch, your light is on, on the motion to return LB 523 to Select File. Senator Pappas. Senator Schellpeper.

SENATOR SCHELLPEPER: Yes, Madam Speaker, I just want to also say I think this is a very important amendment and I think we