

May 6, 1981

LB 3

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President and members, I think, to answer Senator Kahle, the explanation and the intent, and I want to reemphasize again, Senator Kahle, such as Senator Landis said, this is a responsibility of the Department of Revenue and the application has to be made there for the exemption, and the intent language and the enforcement thereof comes from the Department of Revenue and their interpretation and their rules and regs and their follow-up on the applications and so forth, I think, is going to be very clear to them, and I don't anticipate, nor do they, any problem in distinguishing that which is in your mind and mine right from wrong. Thank you, Mr. President.

SPEAKER MARVEL: Senator Newell.

SENATOR NEWELL: Mr. President and members of the body, I would like to kind of clarify the agreement that we have on this issue. It's not an agreement to agree. It is an agreement to narrow the issues so that we can decide in a very simple philosophical sense whether or not we like this amendment or not. Now it will come as little surprise to those who were at the meeting that I do not like this amendment. I think that Senator Kahle's comments are absolutely correct. It is broad and I think that we are giving an exemption not to those new industries and not for new jobs, but instead we are providing an exemption that will allow for certain groups to do what they want to do. We have always used the example, what about Kawasaki? What about taking care of those existing industries that aren't leaving the state but we really ought to take care of them? That's what this whole thing is about and I think it is wrong. I think that if we were talking about new industry, or an expansion of an industry, that would have been the most I could have accepted. But, obviously, we have gone beyond that. And one of the things that I think is also a problem with the bill is because we do have this definition, and it is tighter than the other ones that preceded it, and that, I think, is a positive thing. But this definition still will require a lot of judgment, as Senator Kahle has pointed out. I really think this should not be an exemption but instead should be a rebate, and, frankly, I think that is the only way it will actually work well, is to first buy the equipment, etcetera, etcetera, and then ask for a rebate if you meet the qualifications and regulations that the Department is going to make. But I guess