

involved with this issue. I work with a group of contractors that have been impacted by this legislation. By and large, they tend to be people that had been doing it the way the statute previously, prior to the beginning of 714, had indicated that it should be done. I am aware that there are a number of...quite a large number of people out there who were doing it different than the current interpretation by the Department of Revenue as far as what the statutes indicate. The procedure in 714 is far preferable, in my mind, to what I had seen as another proposal brought in that simply would have made everybody become a retailer. I guess, Senator Lamb, I have about three questions. Number one, I understand that everybody that's involved in this type of business will be given an opportunity to take a selection as to whether they are a retailer, in which case they will charge sales tax to their customer, they will buy their materials tax free, or whether they're a contractor which they will pay the supply house, the wholesaler, the sales tax and they will then not charge sales tax to their consumer. How are they going to find out about making this selection? Is that spelled out in the bill or will this be part of the rules and regs that the department comes up with?

SENATOR LAMB: The department...I think all of us got a memo recently from the department that said they were going to curtail their activity...

SENATOR WITHEM: Right, I saw that.

SENATOR LAMB: ...as far as the December memo and then they were going to have a number of educational meetings around the state and I believe there will be other publicity that will let the people know that they do have a choice.

SENATOR WITHEM: Okay. I guess the only concern, and it's a fairly minor one, is that if a particular contractor that was doing it right under, you know, I'll put the word "right" in quotation marks, correct under the...why the department interpreted the old statute. Somehow they don't get this opportunity to attend these meetings. They don't know about this election. The law said...the bill now says that they automatically become a retailer and they're going to then be liable for charging sales tax when they may not have been aware of it. And I guess that's a concern I have and probably...I guess I would like to know, why do they automati...why is the bill drafted so that this person who has been functioning as a