

PRESIDENT MOUL: Thank you, Senator Will. Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President, members. I'd like to respond to a couple of issues. First one is the issue brought up by Senator Schmit. And that deals with the vote that took place earlier, on what we've been calling the vote on 775. And he said, ConAgra people have already been in here and already cut this deal to get themselves out of it. Senator Schmit, you've given us the reason, I mean you've explained or given us an example of why we had to do that. It's because false issues, such as the one you've raised, would take over the debate. That 775 question, along with earthmoving equipment were both decided well before the ConAgra people ever got down here. Those were decided a couple of days ago. The ConAgra people, Senator Baack was with me, we were walking over to talk to the Governor about this amendment, and I told the ConAgra people, we don't have time to talk to you. I mean we didn't talk to them, so I don't think that is the issue. Senator Baack, who has supported that amendment, voted against the 775 exemptions. I don't think you can say Senator Baack has switched gears and is now a big 775 supporter. As I said during my opening on that amendment, I don't think you can say I like having earthmoving equipment exempt, because that's just not the way it is. It's a false issue, it's a red herring that's being dragged across this issue. And it's exactly why that amendment was attached, because we get out in front of the voters and we'll say, it's a 775 question, and it brings that issue into it. That's simply why the thing had to be done. Has nothing to do with anything other than. The second issue that, I think, has to be looked at is the question on 829 that Senator Landis first started up, and Senator Wesely or, excuse me, Senator Hall then talked about. What is the status of the law right now? LB 829 is, in fact, the law of the state right now; 1990 is the year that dealt with...was dealt with in the MAPCO decision. And I think Senator Hall is correct when he says that. But I think Senator Hall didn't go far enough on it, he didn't explain, I think, that as soon as somebody challenges that it will be granted on a summary judgment. We're talking about a short period of time, and it will come down. I don't think anybody in this room is naive enough to think that the MAPCO decision says 829 is okay, we can exempt them under 829, we just couldn't do it under those other bill numbers. I don't think we can say that. The Supreme Court has clearly told us those four exemptions are unconstitutional. So I think what we're...we're