

SENATOR BEUTLER: ...by year in and year out requests for one exemption after another.

SENATOR WARNER: I would hope that at some point we're at the end of the line. Actually, when I look back, though, Senator, I think in the area of sales tax, at least, the exemptions that have been requested have more frequently been a result of a rule, redefining of a regulation or a rule by the Department of Revenue and/or a court case, which the item became taxable under the court case, and then they came back with legislation in order to redefine whether or not it was an input or at the consumer level. And at least the bills I am thinking of, a great many of them came to us as a result of a court case. Certainly, the one that came this year dealing with Nucor was the result of a court case. The one on cement is the result of a court case; I think, affecting Nucor up there, there was a presumption that a rule could be rewritten that would affect these other, nearly the same kind of situation with the cement, and it appeared to be consistent, if we could call them all inputs, and in every case the ultimate manufactured or even the item that was described...

SENATOR CROSBY PRESIDING

SENATOR CROSBY: One minute.

SENATOR WARNER: ...was sold and sales tax was collected. That was true with the cement. The stuff that was exempted actually became taxed as a part of the eventual product.

SENATOR BEUTLER: Senator, my memory is getting so short, not only can I not remember the discussion from a couple of years ago, but I can't remember whether you just answered my question or not. How...are you aware of or will there be additional exemptions coming down based on this particular distinction or theory that we have not...that we have not anticipated?

SENATOR WARNER: I am not aware of...

SENATOR BEUTLER: Or are they still in the minds of the lawyers at this point?

SENATOR WARNER: Right, just a minor matter and it's not to the contrary, is I think the phrase. I do not know of any others