

Senator Chambers.

SENATOR CHAMBERS: Thank you, Senator Lindsay. Mr. President, members of the Legislature, so that Senator Brashear won't become too testy because we're discussing LB 829, he should know that his bill says, on page 2, "Wage benefit credit means the credit described in the Quality Jobs Act." The Quality Jobs Act is LB 829, so you brought us into a discussion of that legislation by your referencing it in this bill, and we know the two are tied together. But if you look at Section 28, I believe, let me be sure, Section 28, subsection (6), it talks about this application process. Once the application is agreed to, Senator Brashear, once the application is agreed to then, in consideration of the agreement by the company to meet these thresholds the wage credit is granted, so once the application is approved all the company has to do is promise that it's going to reach these thresholds and they have a five-year period in which to do it. Then 829 goes on to say that if after four years either the investment level or these thresholds have not been met the state can begin to try to recapture this money. Now here's the question I want to ask you, Senator Brashear. Since the time for recapture will not occur until after...until four years later, there is nothing that stops the company from withholding this money, putting it in an account or investing it and making interest on that account for four years. Do you agree with that? And that's based on the language of LB 829.

SENATOR BRASHEAR: That's your interpretation of the statute. I'm absent in agreement. I have...

SENATOR CHAMBERS: Okay, I won't...

SENATOR BRASHEAR: ...not entered into any of these agreements with the Department of Economic Development. I don't know what requirements are in them. I'm not necessarily certain, per se, that we have any interests in prohibiting the employer from holding the monies as long as they are spent for the purposes of the act.

SENATOR CHAMBERS: But they don't have to be. Listen to this Section 29, subsection (1): "If the company fails either to meet the required levels of employment or investment for the project by the end of the fourth year after the end of the year the application was filed for such project or to utilize such