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SENATOR CUDABACK: Senator Bromm, would you yield to a question from Senator Brown?

SPEAKER BROMM: Yes.

SENATOR BROWN: Senator Bromm, I just wanted to ask a couple of questions. We focused on packinghouses in the discussion, but this is not limited to packinghouses, correct, your amendment?

SPEAKER BROMM: That's correct, Senator Brown. It would apply to any applicant or recipient of our tax incentive program.

SENATOR BROWN: And so tell me a little bit about the triggers for this, and what it's going...whether it...well, first of all, tell me a little bit about the triggers for it. What's going to trigger this?

SPEAKER BROMM: Okay. The happening that would cause the wheels to be set in motion would be a violation, habitually or intentionally, of a law of this state or of the United States that would result in damage to our environment or to a person as a result of that violation. That would set in motion the potential recapture or cessation of continued benefits being granted to that recipient. And the depart...

SENATOR BROWN: Does that need to be a conviction, or does it need to be an admission in payment?

SPEAKER BROMM: I intentionally did not put the word "conviction" into the amendment. It says "violation." So certainly a conviction would be objective proof that this had occurred. But proof of a violation could be through means other than a conviction. If there has been an investigation, there has been a petition filed, or a complaint filed against the individual or the company, and if the Department of Revenue is satisfied that there has been a violation, then I think that would give cause to setting this in motion. Now, if there were an actual complaint filed and a "not guilty" result, I think that would in most cases exonerate the...you know, the applicant or the recipient. So that's some initial explanation anyway.