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FLOOR DEBATE

March 24, 2004 LB 479, 1065

out of LB 479 we will open ourselves up to a lawsuit, so that is the reason for the amendment. I will try to answer any questions you may have. So I think if we pass this, it's going to raise a big question of what we're doing and why we're doing it, and I think we open ourselves up to lawsuits. So therefore, I've offered this amendment to clean it up, but I think this same debate will take place on LB 1059...LB 1065. I'm sorry, LB 1065. With that, I will try to answer any questions you may have.

SENATOR CUDABACK: Thank you, Senator Schrock. You've heard the opening on AM3374, offered by Senator Schrock to LB 479. Open for discussion on that motion. Senator Baker, followed by Senator Landis.

SENATOR BAKER: Thank you, Senator Cudaback and members. I...there are some major differences here. Number one, we took the offending language out of this bill already in the amendment we adopted, AM7164 I believe...no, AM2713. We took that offending language out from the Attorney General's Opinion already. It's out. What Senator Schrock is trying to strike here is language dealing with any new applications, and he says there's not much of a window left here to apply and qualify. We had another application come in, number 29, from Madison County. I think it was...it's been about a week ago or maybe a few days over a week ago, but we're still getting them in, folks. And what Senator Schrock is saying is we can't modify contracts. I agree with that. That was the Attorney General's Opinion, we can't modify contracts. If you will look at the language that his amendment proposes to strike, it says the Tax Commissioner shall not accept any applications for new agreements on or after the effective date of this act. Doesn't say anything about the contracts. These people are...we're targeting here in the bill as it stands now are people that would come and apply for EPIC Fund incentives, not modifying any contracts, nothing like that. So I rise in opposition to Senator Schrock's bill (sic). I think we need to make a statement here. And I could foresee another two or three applications, Senator Schrock. I...there's still people out there talking about filing applications and hope some miracle, lightning strikes, that they could possibly get a still set up and qualify. To remind the body, these