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LB 500

SENATOR BROWN: Okay. So it would...it would be...if Cabela's had another...if we're talking about Cabela's, if Cabela's had another location within the 25-mile radius, or any similar industry within the 25-mile radius?

SENATOR REDFIELD: I believe similar industry. And Senator Landis has returned.

SENATOR BROWN: Senator...would Senator Landis yield?

SENATOR BAKER: Senator Landis, would you yield to a question?

SENATOR LANDIS: Let me annotate a question...

SENATOR BROWN: Okay.

SENATOR LANDIS: ...(inaudible) my best answer.

SENATOR BROWN: The question is the 25-mile radius provision. Senator Engel's concern was that this would be located in Douglas County. It was my understanding that with the 25-mile radius provision, it would need to be further away from existing competitive industries.

SENATOR LANDIS: Okay. A business, to make use of this as a qualified business activities does not include any business which is primarily engaged in the sale of tangible personal property if the same or a substantially similar business is operated in the state within 25-miles of the development project at the time of the project application, or was operated in the state in the two years prior to the date of application within 25 miles of the development project. That's the language.

SENATOR BROWN: And so the chances, the likelihood...

SENATOR BAKER: One minute.

SENATOR BROWN: ...of this, of a Cabela's let's say, being located in Douglas County under that provision is fairly slim, unless it's in a very rural part of Douglas County? I'll make that a statement rather than a question. Thank you.