

won't be repetitive. Thank you, Mr. Chairman.

SPEAKER NICHOL: Senator Labeledz, please.

SENATOR LABEDZ: Thank you, Mr. Speaker. When I worked for the Department of Revenue I was always disturbed by a situation such as the Hilton Hotel or Cornhusker Hotel never had to pay sales tax on utilities. But I was even further disturbed when I found out that if you owned a 12-plex, or if you owned an apartment building and you rented that out, or even if you rented a private home, as the landlord you were considered a business and so, therefore, if you pay the electricity and the gas, in some cases that is done, then that landlord, when he rents me my house that I am living...rents me his house that I am living in, then he doesn't have to pay the sales tax, even though I'm living in a private home. But as long as it was rented to me by a landlord, he is considered a business and, therefore, did not have to pay sales tax on utilities. Now, Senator Johnson, I would like to ask you a question. If I owned a 12-plex and I paid the electricity and the gas, over 50 percent of that is business. Would I be exempt then under Senator Remmers' amendment?

SENATOR V. JOHNSON: Well, Senator Remmers' amendment is not the easiest amendment in the world to read or to understand. But there is a reasonable chance that you would be exempt under his amendment and you would certainly not be exempt under the same circumstances under LB 715 as drafted.

SENATOR LABEDZ: Thank you. Then I certainly support LB 715 because there are many, especially in Douglas County, homes that are rented. I rent one myself out and I am considered a landlord and I pay the electricity and I pay the gas, I even pay the telephone. So that means I could be exempt. I have never filed for an exemption number, but I could do it because I am considered a business and I am renting out a house and I am paying all the utilities and I've been doing that for 30 years. So you can see that if I filed for an exemption number, I would not have to pay the sales tax on utilities. I think that is unfair when we have so many apartment buildings, and so many dup...I think Senator Higgins also has a 6-plex, but she lives there and that does not qualify her as obtaining an exemption number on sales tax. But if she didn't live there and she paid the utilities on the 6-plex, she would be considered a business