

to be...had to place or put the money up front to pay it into the Department of Revenue for six, eight months, a year maybe before it was settled. If the Department of Revenue says that is not an exemption, then they have to pay it in, but if there is any question in the minds of the manufacturing plant that is coming in or being attracted here, at least they don't have to put up the money until such time as the department of rules, after having received the certificate, rules on whether the certificate is...the exemption itself is a just and legal exemption. So I am asking you to adopt this amendment so that the manufacturing companies are not discouraged from moving into Nebraska. The set up time, beginning in other words, is where they have to raise the most money and they just plain can't afford to raise money that they don't need to put in if it's supposed to be exempt so, therefore, why make them pay it in and then fight the Department of Revenue to get it back? Will they have to fight the Department of Revenue to get it back? You're darned tootin' they will. Look at the New Core Steel plant in Norfolk for example that had to fight the Department of Revenue all the way to the Nebraska Supreme Court before they could win it and get a decent ruling from the Department of Revenue. I am asking you not to force these people to pay it in ahead of time, but just file the certificate, let the Department of Revenue review it and then rule it is or it is not exempt and then they can make the payment or not make the payment as the ruling dictates. I'm asking you for the adoption of this amendment.

SPEAKER NICHOL: Senator Vard Johnson, then Senator Haberman.

SENATOR V. JOHNSON: Mr. Speaker and members of the Legislature, I would hope you would listen to what I have to say carefully. This is a big amendment that Senator Goodrich is offering. It is an amendment which, if passed, will cost the taxpayers of this state a lot of money. I have passed out and put on your desk two different items that pertain to Senator Goodrich's amendment. The first one is the fiscal note to LB 3. LB 3 was the bill that we passed in the 1981, I believe, legislative session, which established for the first time in our state a sales tax exemption for new manufacturing equipment. The purpose of this exemption was to attract Case-Cummins (phonetic) to locate in Omaha, Nebraska. Now of course after the