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FLOOR DEBATE

March 20, 2002 LB 1310

state of Nebraska will no longer collect the fee. When the fund drops to \$10 million or less, then the state of Nebraska will reinstate the fee to pay for whatever actions have been taken place up to that time, or what are committed for. I think this is something we made a mistake four years ago in taking the lids out. We ought not to have an uncontrolled fund growth, for whatever those reasons might have, so we are going to propose that. Mr. Speaker, with that I'd return the rest of my time to the Chair.

SPEAKER KRISTENSEN: Senator Beutler. Mr. Clerk, amendment on the desk?

CLERK: I do. If I may, right before that, Health Committee will have an Executive Session now in Room 2022. Mr. President, Senator Baker would move to amend with AM3212. (Legislative Journal pages 1046-1048.)

SPEAKER KRISTENSEN: Senator Baker, you're recognized to open.

SENATOR BAKER: Thank you, Mr. Speaker, members. And I don't have a hard copy of this amendment. I'm getting some copies made, but Senator Coordsen described it very well. I don't know what I could add to it other than repeat or reiterate what he said here, and that's that we are changing this back to similar wordage that was in it prior to 1998, only we've...instead of \$3 million, it's a \$10 million minimum in the fund, and capping it at \$20 million. The exact language reads that the department shall notify the division which shall...when it reaches \$20 million or more, the department, DEQ, shall notify the division, at which time the division shall suspend the collection of this fee. And as Senator Coordsen pointed out, it's nine-tenths of a cent a gallon on unleaded products, three-tenths of cent a gallon on other products, meaning kerosene, diesel fuel, and so on. It would be suspended on a monthly basis at such time as it reached \$20 million, so it would, in effect, say it's suspended now because there's about \$31 million in it, over \$30 million. If we take the six million out, we're down to twenty-four plus million dollars, so it would be suspended until it got clear down to \$10 million. And it's an important fee but \$31 million is a lot of money to be sitting