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FLOOR DEBATE

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there it stated that in order to qualify you had to produce...be producing 100,000 gallons per year. How do you interpret that? You could divide that by 365 days, and so on, so if you'd say on one day if I would produce 274 gallons, I would qualify because that's 365th of a year of 100,000. So they could bring in a portable still or something and produce 274 gallons in one day and say we qualified. So this is trying to make the intention of the bill a little more clear. So then what we really did is divide 100,000 by 12 and said that you have to produce at least 8,219 gallons within the 30 day period up to that deadline. So it could be done any time in that 30 days at least 8,000 gallons. So that it really has to be a plant that's in production and not just a gimmick. And we see that there are some plants now looking at coming in saying they are going to change their application to only produce 100,000 gallons and then really construct their plant after that deadline. We're hoping to clarify this, what the intent was in the very beginning. The other thing that it really does clarify is that you cannot come in and construct a plant after that date and still get your application. Senator Bourne's questions about being constructed by plants that are from Nebraska, the reason it was taken out of here is because we're really only addressing the shortfall, which is the four plants that are already alm...well, two of them are on line right now and the other two are getting pretty close. So that's kind of beside the...

PRESIDENT HEINEMAN: One minute.

SENATOR KREMER: ...point. If we want to add being constructed by Nebraska plants on the new bill, which would be the say that we have from this point on if it should pass, then that would be the appropriate time. But it really doesn't make any difference now because the plants are already built. Let's see, is there anything else? We just needed to have some clarifications too in this bill that the Department of Revenue had suggested, and one was on the metering devices, just some cleanup, and so that is included in here. But the main two things are clarify what is new construction and how much you have to do in order to qualify for that. I'd be glad to answer any other questions that you might have, but I think this is a good bill and has the emergency clause because we need to bring it in. There may be