

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 23, 2004 LB 983, 1065

cleans up the process. It's kind of an unwieldy situation now. It just makes it a whole lot simpler. It leaves the 1.25 cents a gallon and, as Senator Connealy was explaining to Senator Louden, it's only on gasoline that's purchased with the gasoline tax paid. And then you file a form to get that tax back, subject to 1.25 cents a gallon, doesn't come back to you, Senator Louden, plus another penny that goes to the Department of Roads. So right now there's 2.25 cents a gallon withheld off of your refund when you purchase tax-paid gasoline for off-road uses, and you have to file that form with Department of Revenue, Motor Vehicle Fuels Division in there. It doesn't change any of that. It stays the same figures, same dollars. And Senator Wehrbein asked how many dollars is it. It's been falling in the last few years because there's very few farm implements, if you will, that use gasoline anymore. Most of them have gone to diesel fuel. There's a few gasoline tractors and things like that around, but the funding level has been falling which funds the Ethanol Board. I expect it to turn around or at least stabilize because of the new ethanol plants coming on. They're buying this fuel tax paid and have to file a form to get the refund back, so they're subject to this 1.25 cent per gallon withholding, if you will, that funds the Ethanol Board. So I think it at least should stabilize and it may even increase a little bit with the four new plants that are on-line or shortly to be on-line. But I need to stress it doesn't change the dollar amount, anything like that. It just cleans up the process. As to 66-4,142 there's a great deal unknown as to whether that would actually fund the EPIC Fund if it did run dry. There's conflicting statutes in the law now. And as Senator Connealy pointed out, we struck 4,142 when it came out of committee and now his amendment is to leave it in the statutes, and it's addressed in LB 1065. I'm a little bit uncertain we want to adopt the Connealy amendment, to be honest with you. I think we need to clarify that here. And if we want to reclarify it or change it in LB 1065, we can do that at a later time when that bill does come up, assuming we would not vote to accept/adopt the Connealy amendment. I'm going to listen to the debate here on that. And right now I think we probably ought to leave it in...leave the bill as it came out and not adopt the Connealy amendment and get that statute out of the, you know, strike that 66-4,142. It's a statute that