

delivered through commercial channels in Nebraska is the corn that will be taxed. On page 1, in line 13 and 19, we had referenced some section of statute that dealt with the commodity boards, that certainly did not pertain to what we are doing in LB 377, so that reference has been removed. On the second page, line 1, we currently allow that if a grower has secured corn and then chooses to feed it, that they can apply for a refund. We included language that allows the same circumstance to apply for refund under 377. And, finally, on page 3, we addressed the appropriations and funding to the Department of Agriculture for collecting and administering the excise tax on LB 377, and that the transfers from the EPIC Fund to Management Services Expense Revolving Fund will be made at the end of each calendar year, calendar quarter, excuse me, according to costs reported by the Department of Agriculture, so that we've made sure that the collection and the transfers are in line with what we currently do for any other excise tax collection. With that, I would answer any questions that you might have about the changes in the amendment and ask for adoption.

SENATOR HALL: Thank you, Senator McKenzie. Mr. Clerk, an amendment to the amendment on the desk.

CLERK: Senator Withem would move to amend Senator McKenzie's amendment. (FAS1 appears on page 1225 of the Legislative Journal.)

SENATOR HALL: Senator Withem, to open on the amendment.

SPEAKER WITHEM: Senator McKenzie, I apologize to you. This...I wanted to visit with you earlier and didn't have the opportunity to because I was up in the Chair. I was looking at this amendment and I'm finding that the language I'm striking was already in the amendment previously. I thought that you were making a change here. So what I'll probably do is just have a little dialogue on this particular issue and then withdraw it, unless I don't get the right answers, maybe. Maybe that would be contingent upon that. What this amendment does, it would, if you want to follow along in your Journals, on page 1209, the language currently reads, Section 4, for each fiscal year '95-'96, '96-'97, we're appropriating \$2 million. I'm assuming an A bill then will follow LB 377. This may be Senators Warner and somebody from the Appropriations Committee also need to get involved in the discussion here. But then it continues on for '97-'98, we're saying that the State Treasurer shall transfer