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FLOOR DEBATE

March 27, 2003 LB 479, 608

SENATOR LANDIS: If I was esteemed, LB 608 would be in a different shape than what it is right now, Senator Raikes, but thank you for that introduction. Because there hasn't been much discussion of what the bill's shape is right now, I think Senator Raikes wanted me to at least identify what was in the committee amendments, and I'll tell you why. The fight is on the corn checkoff, and that's Section 7 and it's a significant issue and I think it's what Arnie would say we don't need to rush into doing today, we need to look for other money. My guess is it's what Senator Schrock has been saying all session long. We shouldn't be doing the corn growers only. There should be other contributors to this problem at Section 7. Fair enough. There are other sections of the bill and the reason is we took a couple of bills that Senator Kremer introduced that were essentially technical or administrative in their nature and we lapsed them into this bill as well. And there's a number of things that are probably good, whether or not you like the checkoff, but there are a number of things that are good in LB 479. The Department of Revenue wants to make sure that we understand that ethanol producer that returns excess production credits has those credits deposited to the EPIC Fund. That's in Section 2. We have a production requirement for people who are going to meet our deadline of June 30, and a new requirement is that this approval is to be documented annually instead of just initially as to whether or not they are continuing to meet their obligations. This section would also provide that the production must be measured over a 30-day period to prevent producers from meeting on the June 30, 2004, deadline without being fully operational. You see, right now there's a drop-dead deadline for new production facilities and you have to be in production to get under the wire, and we test that production on June 30, 2004. It also defines new facility eligible for benefits under the act to exclude expansions of existing facilities, so that's not going to be an ethanol plant under this. You don't get another ethanol plant by expanding your existing facilities. To qualify for credits under this section, the producer shall bid the construction product publicly. Preference is to be given to Nebraska resident bidders. This is the idea by Senator Bourne. The producer is to demonstrate to the Department of Revenue that no responsible resident bid for