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FLOOR DEBATE

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would say, some nefarious activities going on in the ethanol industry. We have a lobbyist for the ethanol industry. Loran Schmit, as I understand it, is going around telling these various consortiums that want to build plants that he is saying to them, hey, even if you can't get your plant up and running, because you all know that these have to produce a certain amount of ethanol before June 30 of this year in order to qualify for credit, and as I understand it, Mr. Schmit is telling these consortiums that they can bring in a...basically a still on wheels, generate \$8,600 (sic) worth of ethanol juice and qualify for 20 to 30 million dollars in credit. And that, in my opinion, is absolutely wrong. That is not what the Legislature intended in LB 536 that we passed several years ago. That is absolutely not what we intended. We intended there to be a permanently affixed to the ground facility that produced ethanol. That is what...and maybe everyone else in here didn't understand that, but that was my understanding of LB 536 that I believe was "Cap" Dierks bill two or three years ago. These facilities had to be permanently affixed to the ground, a permanent facility up and running. And now what we have is a lobbyist from the ethanol industry saying, hey, just bring in a still on wheels and produce 8,600 gallons worth of ethanol and you can qualify for up to \$30 million. That is wrong. That is absolutely wrong. In my opinion, it's almost criminal. And so I'm going to support the committee amendment in part. Let me explain. If you look at the committee amendment on page 5, starting in line 23, it talks about a new ethanol facility does not mean an expansion of an existing ethanol plant that does not result in a physical construction of an entire ethanol processing facility or which shares or uses in a significant manner any existing plant's systems or processes, et cetera. But, basically, what it says, it makes clear, even though that was the legislative intent when we passed LB 536 that it be a permanently affixed facility, the committee amendment makes very clear that that is what has to happen. We cannot have people coming in here, in my opinion, with a still on wheels to produce 8,600 gallons of ethanol and qualify for up to \$30 million worth of credits. That's...that is wrong. One thing I do want to talk about, and again I support the committee amendment. I don't necessarily support all of Senator Baker's amendment to the committee amendment and let me tell you why. When you build