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some provision in there that says they cannot?

SENATOR BOURNE: There is not a provision in our law that requires an individual taking ethanol credits to let out announcements that bids are being taken. And what's happening in the industry is they file for their permits, their clean air permits, and there is no notice to any Nebraska-based contractors, generally, that bids are being taken by the manufacturers of the plant. So there's no notice, and all I'm saying is, is that...I'm not saying we have to use Nebraska contractors; I'm just saying we have to give them the opportunity, and part of that opportunity is being provided with notice that a potential exists to work on a plant.

SENATOR D. PEDERSON: Okay. Well, I understand that. The other thing that I was wondering about, who evaluates whether or not the company has properly sought out and evaluated properly the proposed bids?

SENATOR BOURNE: It would be the Department of Revenue. If you look on page 9, line 16, it says if an ethanol producer enters into a contract for the construction of a new ethanol facility with a bidder who is not a bidder residing in Nebraska, such producer shall demonstrate to the satisfaction of the Department of Revenue in its application for credits that no comparable bid was submitted by a responsible bidder...responsible bidder residing in Nebraska. If they didn't bid or if they came in high, or if for some other reason they weren't qualified to do the work, that, the manufacturer of the plant, the person applying for the credits, simply articulates that to the Department of Revenue. The Department of Revenue says you did not follow the law, you're not entitled to credits, similar to how we do it now. If a person agrees to hire a certain amount of employees to qualify for LB 775 and they don't hire those employees, the Department of Revenue goes back and recoups those credits, as you well know.

SENATOR D. PEDERSON: But who reviews the comparability of the bids and the capabilities of the respective bidders? That's what's...