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plant may be involved. Are you saying that based on your understanding of that situation that the people who are connected with this plant have actually signed a contract with the state of Nebraska or they have undertaken preliminary work on their own with the expectation that they can benefit from this program?

SENATOR ERDMAN: The entity that I am most familiar with, Senator Chambers, has a signed contract with the state of Nebraska and Department of Revenue.

SENATOR CHAMBERS: And do you know what part of that contract would be impacted by this language? Are they trying to say that an expansion shall constitute a new ethanol facility?

SENATOR ERDMAN: I believe the situation that they're operating under, Senator Chambers, is the..whether or not the way that it should be redefined would...whether they would still be able to qualify or not. So it may be viewed as the expansion or not but it is a new facility not an expansion of an existing facility.

SENATOR CHAMBERS: Based on your understanding, they have already qualified for credits under the contract that they signed, is that what you're saying?

SENATOR ERDMAN: The entity...

SENATOR CHAMBERS: That if this provision took effect as it's written, they would not be qualified to receive those credits?

SENATOR ERDMAN: The way in which they would qualify for the credits is being changed, and that is what their concern is. They have a sworn...they have a contract with the state based upon the existing statute under LB 536, and then this changes the provision a little bit, especially on the time frame as far as what they have to do to produce a certain amount of ethanol to receive those credits. So...

SENATOR CHAMBERS: Have...

SENATOR ERDMAN: ...their concern is changing the rules within