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LB 479

nominally anhydrous ethyl alcohol meeting ASTM D4806 standards. That sets the criteria what they have to produce. If they're going to try and set up a still, they have to meet quality standards on that ethanol they produce. That's on page 2 of the bill. We're going to refer back to that later. As we move through the amendment, on page 4, line 5, this...the following transactions or activities--this is not new language--the following transactions or activities shall not create any credits. And then you go on to read on page 5, line 16, it says they actually will have..."For applications received after the effective date of this act, any activity that results in benefits under the Ethanol Development Act." This is disqualifying them for any additional LB 775. We also have tightened this up toward the back of the amendment, that says unless they're producing at an annual rate of 15 million gallons or more by October of this year, October 30 I believe was the date--can't remember if it's October 1 or October 30--but October 1 of 2004, unless they're producing at the rate of 15 million gallons on an annual basis by October 30 of 2004, they do not qualify for LB 775. What we're attempting to do here is stop the double-dipping. They may have signed an agreement. Their contracts, though, have not been signed. They haven't fulfilled the requirements to the contract, meaning they haven't hired the employees and made the investment. So we're tightening this up to where they can't access LB 536, the EPIC funds, and LB 775, even if they come in with 100,000 gallon on an annual basis still and try and produce 8,000 plus a few gallons in the month of May or June. It says unless they're producing at a 15 million gallon annual rate by October 30, they can't access LB 775 incentives also. That tightens that up a lot. I think that should get their attention. And they can't be double-dipping here. There's language addressing that, as I said. It starts on page 5 and continues. Moving through the amendment, we have also stated...well we've already talked about the fact we're not going to allow them double-dipping after this would pass. Now those people, the four legitimate plants out there that actually produced, are producing, or will be producing, should not have a problem. The two that are actually producing, Plainview and Axtell, have no problem. They've met the requirements, 15 million gallons on an annual basis. The plants at Trenton and Central City have both agreed that they'll