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March 5, 2014 LB 479, 1065

SENATOR BAKER: I'm sorry, Senator Cunningham. Legal counsel from Revenue...that's in LB 1065. We've got two ethanol bills. (Laugh) The proration language is in LB 1065, Senator,...

SENATOR CUNNINGHAM: Okay, well, I'll quit...

SENATOR BAKER: ...I'm sorry.

SENATOR CUNNINGHAM: Do you need any more time, Senator Baker?

SENATOR BAKER: No. I apologize. I'm thinking ahead LB 1065. That's not in LB 479.

SENATOR CUNNINGHAM: Okay. Thank you.

SENATOR CUDABACK: Thank you, Senator Cunningham. On with discussion of AM2713, offered by Senator Baker to LB 479. Senator Kremer, followed by Senators Baker, Bourne, and Erdman. Senator Kremer.

SENATOR KREMER: Thank you, Senator Cudaback and members of the Legislature. There's been a lot of work and a lot of meetings going into...and effort, going into where we're at right now. Part of it started last year, on some clarifications of what the intent was on, what is it, LB 536. And we did not get it done last year, and then tried to come in this year and clarify it, and found out via an Opinion of the Attorney General that we were making it retroactive after some contracts have been already signed. Some of...one of the clarifications was the clarification of 100...what constitutes 100,000 gallons in a year. You could divide 100,000 gallons by 365 days and say you had to produce only a few gallons per hour or per day and qualify. So it clarified that it would be producing 100,000 gallons in a 30-day period. Senator Baker, I'd like to...I guess I'll share this microphone with you. But I have a question. And I probably should have read this a little closer before. But in the amendment now, it says that they have to...in order to qualify for the EPIC fund and LB 775, they had to be producing 15 million gallons per year. Do we need to clarify that a little more, like we did the 100,000 gallons in a