

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 24, 2004 LB 479

Legislature power states a Legislature cannot indirectly do whatever it cannot directly. The Attorney General's Opinion on LB 479 directly impairing ethanol contracts said the Legislature could not constitutionally do this. I have a request in to the Attorney General's Office. My motive is not to allow more people to build ethanol plants, but I'm concerned about what we're trying to do here. Now I will withdraw the amendment on the condition that, if the Attorney General's Opinion says what we're doing is wrong, that Senator Landis and Senator Baker and other people involved will sit down and talk about the problem. Senator Baker, I agree with you, it is a problem, but, Senator Landis, I assume if the Attorney General's Opinion comes down and says we can't do this, you will sit down and talk with me about this issue.

SENATOR CUDABACK: Senator Landis.

SENATOR SCHROCK: Mr. President, I will withdraw the amendment.

SENATOR CUDABACK: It is withdrawn. Mr. Clerk.

CLERK: I have nothing further on the bill at this time, Mr. President.

SENATOR CUDABACK: Senator Mossey. Sorry, there were some lights on. Did anybody wish to speak to the bill? Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, Senator Schrock deprived me of my opportunity to rail against ethanol, the purveyors, the investors, and the speculators who have managed to tie this Legislature in knots and get them to running after a will-o'-the-wisp. That is that strange light that you see in a swamp and you see it when you get lost, and you think that it might be a lantern or another person and you follow it, and you never reach that will-o'-the-wisp. They say that it might be swamp gases or whatever that gives a kind of florescent appearance. Ethanol is a will-o'-the-wisp at the state level. Archer Daniels Midlands, that is the company, along with one or two other big ones, that keep getting the big subsidies from the federal government. Now ADM's officials have