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April 5, 2004 LB 1065

SENATOR CUDABACK: Senator Schrock, would you yield a question of Senator Chambers?

SENATOR CHAMBERS: Senator Schrock, if this provision that I'm talking about describes a credit which shall end not later than December 31, 2000, this particular credit is over since this is 2004. Is that true or is that false?

SENATOR SCHROCK: It sounds right to me.

SENATOR CHAMBERS: Thank you. Members of the Legislature, I know you all thought I was working mischief, but I want to take some time. This can be stricken and it won't hurt anything. Let me read it again. "Any ethanol facility eligible for a credit under subsection (1) of this section"...and maybe what I need to do next is strike subsection (1) but anyway that's for another time..."shall also receive a credit of twenty cents per gallon of ethanol produced in excess of the original name plate designed capacity." Now when you set up this boondoggle, you got to put a plate on there that says how much you're going to produce. Now if you produce anything in excess of that as a result of an expansion of the facility which was completed before 1995, then you can get this credit of 20 cents per gallon for every gallon in excess of what was on that name plate that is produced as a result of the expansion. "Such credit shall be for sixty months beginning with the first month for which production from the expanded facility is eligible to receive such credit and ending not later than December 31, 2000." December 31, 2000 is long gone. This credit that would have been allowed is no longer available. The end date has come and passed. Senator Burling, there used to be a song, there probably still is but they don't sing it much anymore, "The people keep coming but the train has gone." Now when a train is on the track and it's not going at a rate of speed that will cause it to jump off that track, as long as it moves forward, it's going to go only where the track carries it. I don't care how vast an expanse of land is on either side of the track. I don't care if there's no land between the two tracks, and the tracks are only on ridges of stone that are strong enough to bear the weight of the train, none of that means anything. That train will go only where the track carries it. The train does