

McKenzie, if you have a response to anything I've said, I would yield my time to you.

PRESIDENT ROBAK: Senator McKenzie, you have seven minutes.

SENATOR MCKENZIE: Thank you, Madam President, and thank you, Senator Withem. I agree that our, I believe our intent in the amendment was not in anyway to jeopardize a company currently under construction. As was indicated, a request was made to the Department of Revenue for their opinion on whether this impacted AGP under their current contract. We thought we had tied the shoelace once, but feeling that maybe we needed the knot to be a bit tighter, the Attorney General's Opinion in my mind creates the double knot that guarantees that we are not impacting AGP in an adverse way, nor are we the Aurora plant, which is also currently under construction hoping to meet the December 31st deadline. Senator Kristensen, would you care to add a few comments as well. I would yield the remainder of the time to Senator Kristensen.

PRESIDENT ROBAK: Senator Kristensen, there is six minutes left.

SENATOR KRISTENSEN: Thank you, Madam President, members of the Legislature. And Senator Withem lays out the scenario, of course, that this one particular company is concerned about and obviously, if you go back and look at the language when I introduced that amendment is that if there are things like an act of God at least there is one senator who is going to come back and try to deal with that so they can get their credits and can get the money that is due to them. I suppose what happens in these cases are that there is an Attorney General's Opinion, as much as it probably pains me to agree with those at some time or another, but that you, obviously, can't impair or change that contract with state law. I suppose the other side of that's true. If there is an ambiguity, of course, that you look to state law to answer ambiguities. But at this point in time, I think there is enough history intent and discussion about that amendment that it does protect that people or that group that have the contracts out there, and there are other prior issues that surround the ethanol bill, but at this point in time, Senator McKenzie and Senator Withem, I think you've accurately reflected the condition. There is the Attorney General's Opinion that I think those companies can rely upon and certainly see no reason to bring the bill back to make any changes to do that. I am sorry, Madam President, I would yield my time back