



STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER

No. 08-02

WHEREAS, Executive Order 98-3, signed on April 8, 1998, governs the allocation in the State of Nebraska (the "State") of the federal volume cap limit with respect to "private activity" and certain other types of tax-exempt obligations established for states pursuant to the Internal Revenue Code of 1986, as amended (the "State Ceiling"); and

WHEREAS, Executive Order 98-3 provides for, among other things, an initial reservation of 30% of the State Ceiling for discretionary allocation to any of the categories provided in Executive Order 98-3, as so designated by the Governor; and

WHEREAS, Executive Order 98-3 provides that such initial reservation may be changed at any time in the Governor's sole and absolute discretion; and

WHEREAS, the Governor has determined that a reallocation of the State Ceiling in the manner provided in this Executive Order will be conducive to targeting allocations to projects which are of the most benefit to the State and will provide greater flexibility in utilizing the State Ceiling;

NOW, THEREFORE, I, Dave Heineman, Governor of the State, under the authority reserved to me under Executive Order 98-3, **DO HEREBY PROVIDE** that all amounts representing the amount of State Ceiling initially reserved for discretionary allocations by the Governor pursuant to Category 2(c) of Executive Order 98-3 shall be made available each year for the purpose of solid waste disposal projects carried out in connection with renewable fuels projects. Such amount shall be allocated by the Nebraska Investment Finance Authority on a first-come/first-serve basis, no more than \$15 million per project, as submitted per applicant, and consistent with the policy of the State and the provisions of Executive Order 98-3. Such reallocated amount shall be available immediately in its entirety in accordance with Executive Order 98-3.

This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Great Seal of the State of Nebraska to be affixed this 11 day of December, 2008.



Dave Heineman

Dave Heineman
Governor

Attest:

John A. Gale

John A. Gale, Secretary of State
State of Nebraska