pushover and I don't like bullies. I don't like the big guy saying, hey, I want your candy, give me your candy; the little guy can't stand up to him; he gives it to him. I look at the state this way. The state's a great big state of Nebraska here. We've got one little guy out here, his wife overpaid, his wife overpaid. Whose money is it? I'll leave it up to you. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Cudaback. (Visitors introduced) Senator Vrtiska, on the committee amendments to LB 882.

SENATOR VRTISKA: Well, I turned my light on simply because I do want to indicate that even though there was some...there was quite a bit of discussion on the floor and I'm certainly everybody doesn't agree, and I want to correct a mistake that I made. I was talking about the wrong...the wrong claim. Actually, the claim was for a sales tax on over...actually, they paid the sales tax on the gross sales instead of on the taxable sales, in the case of the first case, and they were, in fact, returned $30,000. The remaining part of it is $25,000 that they actually overpaid because of a bookkeeping error by whoever kept their books. Now, that's a...we...we...some of us felt like that because we had approved the other claim that we should probably approve this one too because it's one of those issues that certainly the state was not...as was indicated earlier, was not entitled to money to begin with based on our statutes. But they did make a mistake and they paid it and they felt they should get it back. On the second case, it had to do with the airplane. They bought a new airplane and they were taxed on that new airplane based on the fact that they...they were told that it was a taxable item. And so they paid the tax. Afterwards, when the new forms came out, they found out, in fact, that airplanes who are used exclusively for spraying are, in fact, not a taxable item, the same as some other machinery, and therefore they were...the state was not owed that money and so they, unfortunately, waited till the statute of limitations before they filed and, as a result, they were denied from the Claims Board the return of that money. The committee felt like, again, and our attitude was that this is money that the state really didn't deserve and, even though they had erred in not filing their claim soon enough, and partly because they didn't