

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 28, 1999 LB 882

done a lot of things on this floor that aren't always supported by a sound basis, I can assure you, and so I certainly don't criticize the other 24 people that voted on the prevailing side in this matter either. We did something yesterday that wasn't entirely supported by fact or foundation because we felt in our hearts that it was the right thing to do, to take a \$5 million step for juveniles, which is probably the right thing to do. Did we have all the facts and support? Do we know how all that money's going to be spent? Do we know that it's all going to be used wisely? Do we have a plan in place that we could all feel real, real comfortable with? I'm not sure, but we chose to do it and...and I think that some of that rationale is why this amendment got the votes that it did, simply because a number of people felt like it was the right thing to do. Don't bother me with laws. Don't bother me with statute of limitations. If we can help people, sometimes we choose to help them. But I understand the precedent that that sets. I understand the difficulties that...that we give ourselves and our successors that try to make these decisions. We have to follow some reasonable guidelines. We have to pay attention to the laws that we make. I certainly couldn't feel worse about the people that are affected by this claim. They shouldn't have paid the tax, obviously. It's just unfortunate that the time has passed, way too much time for them to recover the refund. And so I, you know, I...I'm always one, I guess, I hope I'll always be one to say maybe my judgment could have been better in this case and, in this case, I have a chance to rectify that and I'm willing to offer to the body this motion for reconsideration. What you do with it, I'm not sure, but I'm giving you the opportunity, if you have any second thoughts, to voice those thoughts with another vote. Thank you, Mr. Lieutenant Governor.

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Senator Hilgert, on the motion to reconsider, followed by Bohlke, Vrtiska, Kristensen, Chambers, Coordsen, Dierks, Don Pederson, and Raikes. Senator Hilgert.

SENATOR HILGERT: Thank you, Mr. President and members. I do think we have the power to satisfy some of these claims for a purpose. I would differ with Senator Preister. I do believe that, for example, aerial applicators, otherwise known as crop dusters, that is an intimate part of production agriculture. If