

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

April 28, 1999      LB 882

And also that the State Claims Board may allow outdated warrants of \$10,000 or less on any state warrant, so everything you heard here this morning, while maybe accurate to a certain extent, was not, in fact, accurate in the overall scheme of things. Thank you, Mr. President.

PRESIDENT MAURSTAD: Thank you, Senator Coordsen. Senator Smith, on Floor Amendment 131, committee amendments.

SENATOR SMITH: Thank you, Mr. President, members. I just wanted to add briefly here that I believe, you know, we each have a prerogative and certainly if the statutes are as binding as some would say here today there's no point in the issue even coming before the body. And also, in prerogative, that's why we vote to suspend the rules at times, that's why we vote to change the rules at times, and I think this is a perfectly legitimate item to debate and I know where this next vote's going to go, but I just wanted to add that. Thank you.

PRESIDENT MAURSTAD: Senator Smith. Senator Bohlke.

SENATOR BOHLKE: Thank you, Mr. President and members. This is going back to what I was speaking about originally on the decision as to if the people making this claim have a valid claim. I agree with the committee's judgment on this, and let me read to you a little bit of what happened. In 1996...first of all, in December of '93, we bought an airplane used exclusively for aerial application of pesticides on agricultural crops. We filled out the forms and paid the sales tax to the Nebraska Department of Revenue because we thought it was required. In '96, we bought another airplane, again to be used exclusively for spraying of crops. Once again, we filled out the forms and submitted the sales tax. In '98, we bought another airplane, again to be used exclusively for spraying. Finally, someone in the Department of Revenue informs us that we may not have to pay sales tax on equipment used for agricultural purposes. She proceeds to send us the forms we need to fill out. The form I filled out in '98 asked the reason for the purchase. These form...the forms I filled out in '93 and '96 did not ask the question. Copies of all the forms are enclosed. The forms are to request a refund for the sales tax...for sales taxes are that...the forms to request a refund for the sales tax