

March 6, 1985

LB 101, 101A, 113, 191, 273, 323, 323A
371, 552

Mr. President, your Enrolling Clerk has presented to the Governor for his approval bills read on Final Reading this morning. (Re: LB 101, 101A, 113, 323, 323A and 371.)

Your Committee on Enrollment and Review reports 191 as correctly engrossed. (See page 856 of the Legislative Journal.)

Senator Vard Johnson would like to print amendments to 273. (See page 857 of the Legislative Journal.)

I have notice of hearing from the Banking Committee, Mr. President, for Tuesday, March 12, offered by Senator DeCamp as Chair. That's all that I have.

SPEAKER NICHOL: We will move on to LB 552, please.

CLERK: Mr. President, 552 was a bill offered by Senator Hefner. (Read title.) It was first read on January 22 of this year, referred to Revenue, advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER NICHOL: Senator Vard Johnson, are you going to take the amendments?

SENATOR V. JOHNSON: Yes, sir. As soon as I find them in the bill book. LB 552 is a bill that Senator Hefner introduced because he had read an article in the Yankton newspaper about Bill Janklow, the Governor of South Dakota, who had proposed a similar measure as I recall in the State of South Dakota. And the truth of the matter is that Nebraska...LB 552 is a bill that would subject out of state merchants, that is, folk who do business for example in South Dakota or Iowa or Minnesota or what have you, who, through mail order work, sell items to Nebraska folk. It would subject them to a sales tax. Now the truth of the matter is those very transactions today are subject to the state's use tax, but we can't collect the state's use tax because the people buy the goods never bother to self-declare that they have bought the goods and that the use tax is owing. So Senator Hefner introduced LB 552 as a method of imposing responsibility on the out of state merchant who does a mail order business in Nebraska for the remittance of a sales tax. The Department of Revenue examined the bill extraordinarily carefully, decided that it was a dynamite measure likely to generate a few additional