

SENATE WAYS AND MEANS COMMITTEE

Minutes of the Meeting
March 24, 1965

The meeting was called to order at 10:00 a.m., March 24, 1965, by Chairman Sanborn. All members of the Committee were present.

Senator Bennett, Chairman of the Senate Claims and Accounts Committee, appeared before the Committee to discuss Senate Bill 369. His comments included:

1. The first portion of the claims included in the bill relate to payment of attorney fees for indigents appearing before the Supreme Court and certain District Courts.
2. Some of the items are for personal injury cases which have occurred in State agencies. A few are continuing claims. One (Ray D. Hegarty) claim was an eye injury sustained during a prison break in 1945.
3. There are a large number of motor tax refund claims.
4. Three cases were brought to the Claims and Accounts Committee for claims arising out of alleged slippery pavement on the turnpike. The cases were denied by the courts because of the sovereign immunity of the Turnpike Authority. Because the Claims and Accounts Committee has no authority to appropriate money, they were categorically denied. Senator Bennett suggested it may be desirable to change the statute concerning the Authority to permit claims of this kind.
5. Sales tax refunds amounting to about \$900,000, including State and local units of government, as well as charitable and benevolent organizations, are being held in abeyance pending determination as to the proper payment of them. There are about 3,000 individual claims. Senator Bennett suggested that it may be appropriate for a bill to be drawn authorizing the Director of Revenue to pay the claims except those refunds to State units that have been allowed by the Claims and Accounts Committee.
6. The federal government has presented no claim for refund of sales tax, but it is estimated to be about \$2 million. It is thought that no claim will be presented on its behalf.

Senator Saar made a motion that a bill be drawn and introduced by the Claims and Accounts Committee, with the concurrence of the Senate Ways and Means Committee, to provide that sales tax refunds to local units of government, and charitable and benevolent organizations, be dispursed by the Director of Revenue upon approval of the Claims and Accounts Committee. Senator Bell seconded the motion. The motion carried.

After due consideration, Senator Woodard moved that Senate Bill 369 be recommended for passage. Senator Bell seconded the motion. Motion carried.

Senate Ways and Means Committee, Minutes, March 24, 1965

Senator Arthur presented the subcommittee report on House Bill 919. He stated that the subcommittee concurred in the House recommendations and moved that House Bill 919 be recommended for passage. Senator Warren seconded the motion. Motion carried.

Senator Warren presented the subcommittee report on House Bill 990, in which the subcommittee concurred with the House recommendations. He moved that House Bill 990 be recommended for passage. Senator Bell seconded the motion. Motion carried.

After discussion, Senator Smith moved that Senate Bill 328 be recommended for passage. Senator Bell seconded the motion. Motion carried.

There being no further business to come before the meeting, it was adjourned at 11:10 a.m.

THEO. A. SANBORN, Chairman