

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 119A, 179

a motion, please.

SENATOR SMITH: Mr. President, I move the advancement of LB 119A to E & R for engrossing.

SENATOR COORDSEN: The motion is to advance LB 119A to E & R for engrossing. Those in favor, please say aye. Those opposed nay. The bill is advanced. Next item, Mr. Clerk.

CLERK: Mr. President, LB 179. Senator Hilgert would move to return the bill for specific amendment AM1553. (Legislative Journal page 1843.)

SENATOR COORDSEN: Senator Hilgert.

SENATOR HILGERT: Thank you, Mr. President, members. I have a rather important issue to bring before you today. It's based on a call I received from a constituent of mine, Judy Barrett (phonetic). She is a disabled individual, and she was taking advantage of the state's homestead exemption policy. What happened was is she turned the age of 65. Now, why is that significant? It's significant because her disability that she was receiving that came from Social Security disability, the check is now coming from Social Security retirement. Just because she turned the age of 65, her disability did not go away. It didn't vanish. And at that time, the Social Security retirement, as you know, is counted as income in the eyes of the state for purposes of the homestead exemption. And Judy informed me that she was not going to receive it. Well, I initially wondered, you know, how could this be? This doesn't seem right, a disabled person getting the homestead exemption, simply turning...by a fact of turning the age of 65, loses her benefit. That doesn't seem right, an older Nebraskan losing her benefit. The only thing that happened to her was she turned the age of 65. And I approached the experts, I approached the Department of Revenue and individuals on the Revenue Committee, and I learned why this situation exists in our statutes. And I understand it, and I know that it's inadvertent. I know that the state didn't plan on doing this. There was a mix-up, if you will, when legislation was passed some time ago, counting Social Security as income. The intent of the Legislature, I was told, was that all Social Security should be counted as income. And