

February 23, 1993 LB 46, 138, 138A, 255, 332, 498A, 513A, 754

Senator Beutler has amendments to LB 332 to be printed. New A bills, LB 513A by Senator Wesely and Robak. Senator Wesely offers LB 498A. (Read titles for the first time. See pages 736-37 of the Legislative Journal.)

I have a motion from Senator Will with respect to suspension of rules on LB 138 and LB 138A. That will be printed as pursuant to his request.

Minutes...report from the Board of Public Roads Classifications and Standards, two Attorney General's Opinions.

And finally, Mr. President, Business and Labor Committee reports LB 754 to General File and LB 255 indefinitely postponed, those signed by Senator Abboud. (See page 747 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BAACK: Thank you, Mr. Clerk, we'll now proceed to Item 5 on the agenda and a motion by Senator Schimek.

CLERK: Mr. President, Senator Schimek would move to return LB 46 to Select File for a specific amendment.

SPEAKER BAACK: Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President, members of the body. If you'll recall LB 46 is a bill that would establish a system for setting off income tax refunds debt and it involves Department of Labor and the Department of Revenue. And one thing that came up during the debate, Senator Beutler asked about the wording on page 3 at the top of the page and wanted to know what it meant when it said that the Department of Labor may submit any debt of \$25 or more to the Department of Revenue for collection except when the validity of the debt is legitimately in dispute. And he wanted to be reassured of what those words "legitimately in dispute" meant. Well, after talking with George Kilpatrick from the Revenue Committee and with the Department of Labor, apparently what happens when somebody allegedly owes money that this goes through a hearing process just like with a lot of other agencies under the Administrative Procedures Act. And so what we're proposing here in the original language, what it really meant was that if that debt is still in the hearing process then the Department of Labor may not submit it to the Department of Revenue for collection. But