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FLOOR DEBATE

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did talk to the staff of the Health and Human Services Committee and we really didn't get a lot of information. I'm not sure, as far as whether that was a lack of communication or not, but this is my concern. This is why I filed the motion. I talked to Senator Wehrbein, said I have a concern about LB 639, as well as Senator Jensen. And if Senator Jensen would like to respond, I'd like to clear this up. Because, again, I don't think that the state, when going after a debt from some poor individual's estate, should not be going after the entire estate. Certainly we should try to find repayment for a debt owed, but I think that there's limitations that either exist, and I hope that...to be informed so, or perhaps that should exist; that the state should not be trying to...to claim, and among those are personal effects. Another example would be what if the individual has disabled step-children? I think that the law has an exemption for disabled children. What about disabled step-children? I mean, what is the state going to go after? What exactly are we doing in this situation? And, again, I apologize to the body for bringing this up on Final and the sole reason is, is I was tardy pushing my button when this was adopted with no debate on Select. So, with that, I would hope that there would be a couple individuals to speak to this issue.

SPEAKER KRISTENSEN: Debate on the motion to return? Senator Bromm.

SENATOR BROMM: Thank you, Mr. Speaker. Senator Hilgert, if I can help a little bit, when the state files a claim in an estate for this particular reimbursement, they would be subject to the general claims provisions in our state statutes pertaining to claims in an estate, and it depends on whether you have a surviving spouse or whether you don't where the state fits in to the...to the order. But let's say that you don't have a surviving spouse and this is...they die leaving children, whether they're adult children or minor children. First of all, there's a \$5,000 exempt property allowance that the children can claim. If there are things like personal property, rocking chairs, family heirlooms, they can claim those under that \$5,000, or they can take it in cash if they choose. They can select up to \$5,000. Now that's total. That's not per child. Then, if there is...if there is a spouse, there's an additional