

March 15, 1995      LB 77, 83A, 93, 94, 119, 147, 158, 240  
412, 501, 502

LB 83A, LB 93, LB 119, LB 412, LB 501, LB 502E, LB 77, LB 94, LB 147 and LB 158E. Items for the record, Mr. Clerk. We will now discuss LB 240 On Select File, the Hudkins amendment. Senator Beutler.

SENATOR BEUTLER: Senator Hudkins, a question, if I may.

PRESIDENT ROBAK: Senator Hudkins.

SENATOR HUDKINS: Yes.

SENATOR BEUTLER: Under Nebraska law, we consider both alimony and child support that's paid pursuant to a decree where there are minor children, and we call it spousal support. And I'm not clear, from this letter, whether spousal support in and of itself is a violation of the federal law, or whether the addition of the medical payments constitutes the violation of federal law. I believe that we were either federally encouraged or federally required to use the concept of spousal support, in the first instance, because an agency of federal government suggested and/or required it. But, to me, conceptually, it's correct to consider alimony as a part of child support because it's all really one pool that supports the family, and this law, as amended, seems to say that only child support narrowly understood, not spousal support. To include alimony where children are involved is what will now be allowed to be withheld from unemployment compensation. So I guess my question is this. Is it possible, under federal law, to amend this to just say spousal support instead of child support? Or is the federal...are the federal agencies in conflict with one another, conceptually, as to what they are requiring of the states these days?

SENATOR HUDKINS: Senator Beutler, if you refer to the letter, I...it was clear to me and maybe I'm reading something into it that's not. The letter says that the bill that was passed last year would permit the withholding of spousal support and medical payments from unemployment compensation. This legislation raised a conflict with federal law and it is my understanding, therefore, that this bill, this amendment refers that or says that only child support payments would be allowed to be deducted.

SENATOR BEUTLER: Well, I guess I don't think this makes sense. So we'll look into it further. Thank you.