

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 17, 1999 LB 407, 612

really...I'm from western Nebraska and when I see a need I...studies might be fine to some people but we have an area in these guidelines that is discriminating against self-employed people. And it keeps coming back to farmers. It affects anyone who's self-employed. It might be somebody working for ConAgra that also has a business on the side, a bookkeeping business or whatever. They obviously can depreciate computers and so on, business expense along those lines, so it's not just an agricultural issue here. But everybody's leaning (LB) 407 and I go back, folks, this is discriminatory. Anybody who's self-employed cannot take depreciation off as an expense. It's blatant discrimination. It's an expense. If I have to go back over my example I will, but when you buy a tractor you don't get to take that off or...of your income for that year. You just don't do it. You can't. That's not in the IRS Code. You have to recover that expense over a period of years through depreciating it, and that's what we're talking about here, is a fairness issue. A lot of sympathy, but I still need the votes I guess here to reject this bracket motion, but...and as far as the argument that this is going to open up Pandora's box and so on with the courts, I don't believe so. These guidelines of 13 pages, whatever Senator Bromm said there was, most of it's tables, to be honest with you, and there's a couple charts in there. There's not all that much printed material in it as far as guidelines, as such. When the bill was heard in committee, I believe Joe Steele testified neutral on it and I believe he said we don't really want to be in this business anyway, and obviously they've neglected it. They don't want to be in the business of setting child support guidelines in the Supreme Court. I could be corrected if I'm wrong on that and I certainly, if I am, somebody correct me, but I believe he said we don't...we're not into this business; we don't want to be in it. And obviously they've neglected it, 'cause here we have a very discriminatory clause in the guidelines and everybody agrees, yes, we need to do it, but when it comes time to actually address it with a bill they're saying, no, we're going to open up Pandora's box and we're going to have people...these other deductions, some of them that don't...some of you don't have these guidelines here, taxes, FICA, health insurance, pretty cut and dried things. There's not much flexibility in those things. You either have these deductions or add them back in or whatever. There's not much for discretion there on the