

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

March 15, 2000 LB 1407

yesterday at the introduction of LB 1407 and I don't want to multiply woes, but I said at that time I was going to vote against the committee amendment. I was the only person of the committee not to vote to advance this bill, and I explained yesterday my rationale. Prior to December of 1998 it is my understanding, and I am willing to be corrected, that we had a 120 percent of poverty level floor and 24 months, and the Director of Health and Human Services, on her authority or what she believed was her authority, changed that to the maximum, which was 185 percent and indefinite rather than 24 months. That's my understanding. If that's wrong, I would hope someone would correct me. In December of 1998, a instruction was sent out from the Director of Health and Human Services to make this change at a time when we had a substantial surplus. It is further my understanding that we not only now do not have the surplus, we have a deficit. And if Senator Wehrbein or anyone else knows something to the contrary, I am more than willing to be corrected. My rationale that I stated yesterday, I state again, is that if the Director of Health and Human Services, now a different person, but if the Director has it in the Director's authority to make that change upward to 185 and indefinite, they have the authority to change it back downward. In the intent statement of this bill, and I'm going to quote: State statute does not currently address the income eligibility of the child care program for low-income families. This bill is brought to the Legislature to begin the discussion on whether income eligibility for the child care program should be defined in state statute. I indicated yesterday I was going to vote against the committee amendment and then, one way or the other, was going to vote against the bill because of what I just stated is my belief that the authority to act one way gives the authority to bring it back down to where it was. In other words, I viewed this as unnecessary legislation. I'm still going to do that. I'm going to vote against the bracket so that that process can go. If this is the wrong thing to do, I would appreciate being instructed. Thank you.

SENATOR CUDABACK: Thank you, Senator Tyson. Senator Hilgert, on the bracket motion for LB 1407.

SENATOR HILGERT: Thank you, Mr. President, members. Senator Jensen, I raised an issue this morning regarding the