CLERK: 38 ayes, 0 nays, Mr. President, on the adoption of the
Select File amendment.

PRESIDENT MAURSTAD: The amendment is agreed to. Senator Smith.

SENATOR SMITH: Mr. President, I move the advancement of LB 1253
to E & R for engrossing.

PRESIDENT MAURSTAD: The question is the advancement of LB 1253.
Those in favor say aye.   Those opposed nay.   The bill is
advanced.   Members, while the Legislature is in session and
capable of transacting business, I propose to sign and do sign
LB 1369, LB 1379, LB 1379A, LB 1427, LB 1427A, LB 213, LB 929,
LB 1085, LB 1135, LB 1197, LB 1436, LB 1436A.   Mr. Clerk, next
item.

CLERK: Mr. President, LB 1352, Senator Brashear would move to
return it for a specific amendment, AM3064.   (Legislative
Journal page 1285.)

PRESIDENT MAURSTAD: Senator Brashear, you're recognized to
open.

SENATOR BRASHEAR: Mr. President, members of the body, this
amendment would add what was LB 920 to LB 1352. The amendment
would simply outright repeal Nebraska Revised Statute 68-1047
relating to trusts commonly referred to as Medicaid trusts.
Medicaid trusts are employed by individuals to dispose of assets
in order to qualify for needs-based benefits, such as Medicaid.
Concerned with abuses in the area and in the use of such trusts,
our Legislature in 1993 adopted the statute I referenced in
order to control them.   It specifically required   that
individuals employ a trust that results in eligibility for
public assistance. That trust had to be reviewed by a county
court.   Addressing those same concerns, however, the United
States Congress, that same year, adopted federal standards which
preempt our state standards. Nevertheless, our statute remains
in force.   A number of public agencies are still requiring the
county court approval. It's a duplicative, repetitive act with,
I respectfully suggest, no purpose. We can economize in terms
of money for those who are...who need this, need to place

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