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February 9, 2004 LB 841

SENATOR CUDABACK: Thank you, Madam Clerk. Senator Byars, you're recognized to open on LB 841.

SENATOR BYARS: Thank you, Mr. President and members of the body. I don't want to make LB 841 any more complicated than it really is. It advanced unanimously out of the Revenue Committee. What I'm attempting to do with LB 841 is to put back into statute what has been the practice of the Revenue Department for at least 20 years, as far back as we can go, but let me get a couple of terms clarified first so maybe it will be a little easier for people to understand the need for this bill. We're talking about ICFs and ICF/MRs. An ICF is a federal designation for a Medicaid funding system and licensure for healthcare related facilities. The ICF/MR was created for persons with mental retardation or other related conditions, and it's just that simple. As the Department of Revenue was looking at the hospital licensure act, or the Health Care Facility Licensure Act, they found that in language or in statute we dealt strictly with the ICF and not the ICF/MR, or the intermediate care facility for the mentally retarded. Although we were exempting them from taxation, we didn't have the appropriate language. Because of this, in order to correct this statutorily, I brought LB 841 to the Revenue Committee and am now bringing it to you. It is...it does not create any negative or positive revenue streams for the state or others, but strictly puts into statute what has been the practice, and I would ask for your adoption of LB 841.

SENATOR CUDABACK: Thank you, Senator Byars. You've heard the opening on LB 841. Open for discussion on the advancement. Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I think what Senator Byars is attempting to do is commendable and I'm going to support his amendment. I'm offering an amendment...I meant I'm going to support his bill. I have an amendment that I'm offering, and some people may be somewhat taken aback by the amendment. What mine will do is to strike existing language from the law. If you turn to page 2 in the green copy and look in line 6, I would let you make a wager