

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB178

Hearing Date: Monday March 25, 2019
Committee On: Business and Labor
Introducer: Hilgers
One Liner: Change provisions relating to workers' compensation claims, tort claims against the state, and state vehicles

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	6	Senators Crawford, Halloran, Hansen, B., Hansen, M., Lathrop, Slama
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:		

Oral Testimony:

Proponents:

Mike Hilgers
Ryan Post

Representing:

District 21 Senator
Nebraska Department of Justice

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Section-by-Section Summary:

Section 1: Removes the definition of State Claims Board. Changes the definition of "Award" from an amount determined by the "State Claims Board" to an amount determined by the "Risk Manager and the Attorney General."

Section 2: Eliminates the language regarding the State Claims Board.

Section 3: Provides that the risk management and state claims division of the Department of Administrative Services, as opposed to the State Claims Board, may adopt and promulgate rules and regulations.

Section 4: Provides that the Risk Manager, instead of the State Claims Board, may delegate to a state agency the handling of workers' compensation claims of employees of that agency, under the supervision and direction of the Attorney General.

Section 5: Changes a reference from the board to the Risk Manager to harmonize the terms.

Section 6: Changes reference from State Claims Board to Risk Manager.

Section 7: Under current Nebraska law, all awards and judgments stemming from the same facts and circumstances must be aggregated for determining whether the awards and judgments are sent to the Legislature for review and

specific appropriation. LB 1096 amends this so that individual awards under fifty thousand dollars (\$50,000.00) may be paid as they are awarded, instead of paying them only after they have been aggregated. All awards arising from the same facts and circumstances would still be aggregated for reporting purposes. Individual amounts exceeding fifty thousand dollars (\$50,000.00) would require review and appropriation for by the Legislature.

Section 8: Allows the state to pay claims which are provided for by law, but not payable from the State Insurance Fund, State Self-Insured Property Fund, State Self-Insured Indemnification Fund, Workers' Compensation Claims Revolving Fund, or Tort Claims Fund.

These claims include payments for awards, settlements, and associated costs, including appeal bonds and reasonable costs associated with a required appearance before any tribunal.

Section 9: Adds the Department of Justice to the list of entities exempt from lettering their state-owned vehicles.

Section 10: Repeals the original sections.

Matt Hansen, M., Chairperson