

March 26, 1984

LB 1027

SENATOR HABERMAN: Okay, now just a minute. If the Tort Claims Board approves the \$10 million, then will they disperse the money?

SENATOR DECAMP: The money would be a portion or whatever of the total if a claim is approved against the state.

SENATOR HABERMAN: Would the Claims...would the state have to be proved liable by a court of law before this could happen?

SENATOR DECAMP: Well, not necessarily. The Legislature, not a court of law decides that.

SENATOR HABERMAN: Okay, so in other words, before this \$10 million could be distributed, the Legislature would have to decide whether it is legal to distribute the money or not. Is that correct?

SENATOR DECAMP: Yes, for all practical purposes. The Legislature is going to have to be the key body in approving any claim, in my opinion.

SENATOR HABERMAN: But this doesn't say that.

SENATOR DECAMP: That is already in existing law, Rex, the tort claims system and we may change that from time to time but that is in existing law. I am not dealing with that. I am simply dealing with the subject of if somebody is going to come in here I think they ought to have to put X number of dollars as an entry fee to get into it. You might take that money and use it for property tax relief. I'm just saying in this particular amendment I put it into a tort claims fund.

SENATOR HABERMAN: Okay, these people who come in and buy it, do they get the...does this have anything to do whether they get the existing real estate? Or is this just buying blue sky you might say?

SENATOR DECAMP: Totally blue sky, the right to come into Nebraska.