

Board is not doing its job, but because we feel that the function of claims and management should be under the control of the Governor and the conditions now that existed at the time, the State Claims Board personnel was established, no longer exist. We are recommending a change in the Claims Board from...to the Director of Insurance, DAS and Labor. Insurance for its technical expertise in matters of insurance, DAS for its administrative ability and Labor because the State Claims Board in handling Workmen's Compensation is the highest cost to the State of Nebraska of any item that we have right now. I don't know if I could tell you anything more specific or pointed or legitimate as to why we should maintain the present makeup of the State Claims Board. The Claims Board process ought to be under the control of the Governor as was decided in 1981 by this Legislature. It is the Governor who represents the executive branch of this state. It is the Governor who is responsible for these claims. The two independently elected constitutional officers have little or nothing to do with any of the claims process that we are talking about. They were an anachronism back in 1981 and were taken off along with the Lieutenant Governor. The Lieutenant Governor was also a member and the feeling was that they didn't really serve any purpose on the board. It was the Governor and the executive branch of this state government that was the person that was having a claim filed against him if any claim was filed and so they should be the one to respond to it and the three departments selected as I just said are the legitimate departments that have the best expertise and ability to deal with the claims process. So we decided back four years ago to go with this system and as far as I am concerned there is no reason now four short years later to change back. My sense is that that Senator Lamb might have concerns that he might want to express about the present board, but as far as I am concerned it has functioned properly and we ought to kill this bill and allow it to continue to function in the way it was designed in 1981.

PRESIDENT: Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the Body, I am going to support the Beutler-Wesely kill motion. The State Tort Claims Board has been around for several years. Actually it doesn't have as long a history as one would anticipate. In fact, the change, the establishment of the State Tort Claims Board as I recall from some earlier