

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 488

Introduced by Mello, 5.

PURPOSE: The purpose of this interim study is to examine issues surrounding the use of state settlement funds. The issues addressed by this interim study shall include, but not be limited to:

(1) An examination of whether state settlement funds should be treated as fines or penalties subject to Article VII, section 5, of the Constitution of Nebraska;

(2) An examination of past and present procedures used by the office of the Attorney General to allocate state settlement funds, including settlements under the Consumer Protection Act, supplemental environmental project settlements, and multistate settlements to which the State of Nebraska is a party;

(3) A review of the use of the State Settlement Cash Fund and the State Settlement Trust Fund, including the extent to which both funds have been utilized for settlements which do not fall under the Consumer Protection Act; and

(4) A review of the mechanisms used in other states to allocate state settlement funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Appropriations and Judiciary Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.