

LEGISLATIVE BILL 1036

Approved by the Governor March 28, 1986

Introduced by Lundy, 36; Hannibal, 4; Chizek, 31;
Barrett, 39; L. Johnson, 15

AN ACT relating to workers' compensation; to amend section 136, Legislative Bill 811, Eighty-ninth Legislature, Second Session, 1986; to provide an assessment; to create a fund and specify the source and use of the fund; to harmonize provisions; to state intent; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The Nebraska Worker's Compensation Court shall, prior to January 1 of each year, estimate as closely as possible the actual cost to the court of evaluating an application for self-insurance for the ensuing year and assess the amount thereof, but not to exceed five hundred dollars, against each applicant for self-insurance in this state. Such assessment shall be in addition to the payments required by subdivision (1)(b) of section 48-145. The court shall notify each applicant of the amount of the individual assessment. Such assessment shall be due and payable with the application for self-insurance. If any assessment is not paid, the application shall not be considered.

(2) All payments received under subsection (1) of this section shall be promptly paid to the State Treasurer for deposit in the state treasury for credit to the Self-Insurance Cash Fund which is hereby created. Such fund shall be expended solely for evaluating applications for self-insurance and to aid in supervising and administering the self-insurance program. After the first year, the balance remaining in such fund at the time each annual assessment is made shall be taken into account when the total assessment for the ensuing year is made.

(3) Any money in the Self-Insurance Cash Fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

(4) The State Treasurer shall furnish monthly to the compensation court a statement of the Self-Insurance Cash Fund setting forth the balance as of

the first day of the preceding month, the income and its sources, the payments from such fund in itemized form, and the balance as of the last day of the preceding month.

Sec. 2. That section 136, Legislative Bill 811, Eighty-ninth Legislature, Second Session, 1986, be amended to read as follows:

Sec. 136. (1) Sections 48-101 to 48-1,109, and this section, and section 1 of this act shall be known and may be cited as the Nebraska Workers' Compensation Act.

(2) It is the intent of the Legislature that the changes made in this legislative bill shall not affect or alter any rights, privileges, or obligations existing immediately prior to the effective date of this act.

(3) On and after the effective date of this act, whenever the terms workmen's compensation and Workmen's Compensation appear in the statutes or in any appropriations measures enacted into law, they shall be taken to mean workers' compensation and Workers' Compensation, respectively.

Sec. 3. That original section 136, Legislative Bill 811, Eighty-ninth Legislature, Second Session, 1986, is repealed.