

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 88

FINAL READING

Introduced by Business and Labor Committee: Cornett, 45,
Chairperson; Chambers, 11; Lathrop, 12; McGill,
26; Rogert, 16; Wallman, 30; White, 8

Read first time January 5, 2007

Committee: Business and Labor

A BILL

- 1 FOR AN ACT relating to claims against the state; to appropriate
- 2 funds for the payment of certain claims; to provide for
- 3 payment of the claims; to authorize agencies to write off
- 4 certain claims; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. There is hereby appropriated the following
2 sums of money, or so much thereof as may be required, from
3 the General Fund or from other funds as indicated in the state
4 treasury, not otherwise appropriated, for the payment of claims
5 arising out of miscellaneous items of indebtedness owing by the
6 State of Nebraska.

7 \$13,785.42 for Claim Number 2006-00385, against the
8 Department of Revenue, pay to Chris and Joy Dinsdale, 304 Willow
9 Road, Sterling, CO 80751, out of the General Fund.

10 \$18,530.00 for Claim Number 2006-00945, against the
11 Department of Health and Human Services, pay to Douglas County
12 Youth Center, Omaha, NE 68105, out of the General Fund.

13 \$19,128.28 for Claim Number 2007-01148, against the
14 Attorney General's Office, pay to Nebraska Appleseed Center, 941 O
15 Street, Suite 105, Lincoln, NE 68508, out of the General Fund.

16 \$17,650.00 for Claim Number 2007-01373, against the
17 Attorney General's Office, pay to Osborn, Summerlin and Ogborn,
18 610 J Street, Suite 200, Lincoln, NE 68508, out of the General
19 Fund.

20 \$302,204.16 for Claim Number 2007-01594, against the
21 Attorney General's Office, pay to Blackwell, Sanders, Peper, and
22 Martin, LLP, 1620 Dodge Street, Suite 2100, Omaha, NE 68102, out of
23 the General Fund.

24 \$1,238,723.69 for Claim Number 2007-01379, against the
25 Secretary of State's Office, pay to Nebraska Press Advertising

1 Service, 845 S Street, Lincoln, NE 68508, out of the General Fund.

2 \$830.35 for Claim Number 2005-00295, against the Nebraska
3 Health and Human Services System, pay to Millicent Myres, 6114
4 North 79th Avenue, Omaha, NE 68134, out of the General Fund.

5 \$15,880.00 for Claim Number 2007-01517, against the
6 Department of Roads, pay to G & D Appel, LLC, and Cory Locke,
7 Attorney, 100 North 34th Street, Suite E, Norfolk, NE 68701, out of
8 the General Fund.

9 The claims included in this section shall be paid through
10 program 536 in Agency 65.

11 For informational purposes only, the appropriations
12 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
14 <u>GENERAL FUND</u>	<u>1,626,731.90</u>
15 <u>TOTAL</u>	<u>1,626,731.90</u>

16 Sec. 2. The following sums of money, or so much thereof
17 as may be required, are hereby appropriated from the General
18 Fund or from other funds as indicated in the state treasury, not
19 otherwise appropriated, for the payment of tort claims which have
20 been settled by the Attorney General in the district court or
21 in which court judgments have been entered and which require the
22 approval of the Legislature for payment.

23 \$20,000.00 for Tort Claim Number 04-240, against the
24 Department of Roads, pay to Miranda Judds and Shari Daehling,
25 and Vincent Powers, Attorney, 411 South 13th Street, Suite 300,

1 Lincoln, NE 68508, out of the Roads Operations Cash Fund.
 2 \$183,000.00 for Tort Claim Numbers 2007-01347 and
 3 2007-01348, against the Department of Roads, pay to Richard W.
 4 Rathje and Geraldine R. Rathje, and Jefferson Downing, Attorney,
 5 530 S. 13th Street, #100, Lincoln, NE 68508-2795, out of the State
 6 Insurance Fund.

7 The claims included in this section shall be paid through
 8 program 591 in Agency 65.

9 For informational purposes only, the appropriations
 10 contained in this section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>CASH FUND</u>	<u>20,000.00</u>
<u>REVOLVING FUND</u>	<u>183,000.00</u>
<u>TOTAL</u>	<u>203,000.00</u>

15 Sec. 3. The Director of Administrative Services is hereby
 16 authorized and directed to draw his or her warrants on or before
 17 June 30, 2007, upon the funds in the state treasury enumerated
 18 in this act, in favor of the several beneficiaries named in
 19 this act for the amount set opposite their respective names upon
 20 the presentation of proper vouchers therefor. The several amounts
 21 appropriated in this act shall be in full payment of any and all
 22 claims, rights, causes of action, damages, and demands of every
 23 character and kind owing by or against the State of Nebraska, its
 24 officers, agents, and employees, and their successors and assigns
 25 with respect to each of the beneficiaries respectively in whose

1 favor the appropriations are made. The director shall not deliver
2 any warrant for any items appropriated in this act until a receipt
3 and release in full, releasing the State of Nebraska, its officers,
4 employees, and agents, and their successors and assigns, has been
5 filed by each of the beneficiaries respectively. Upon presentation
6 of the warrants, the State Treasurer is hereby directed to pay the
7 same out of money in the General Fund or out of money in other
8 funds indicated in this act not otherwise appropriated.

9 Sec. 4. The following requests were filed by state
10 agencies seeking permission to write off certain accounts. The
11 State Claims Board reviewed and approved the following requests:

12 \$356.29 for Request Number 2006-00545, made by the
13 Nebraska Supreme Court.

14 \$19.96 for Request Number 2007-01230, made by the Clerk
15 of the Legislature.

16 \$1,074.94 for Request Number 2007-01290, made by the
17 Nebraska Workers' Compensation Court.

18 \$5,921.64 for Request Number 2007-01292, made by the Game
19 and Parks Commission.

20 \$348,182.90 for Request Number 2007-01297, made by the
21 Department of Health and Human Services Finance and Support.

22 \$6,272.00 for Request Number 2007-01298, made by the
23 Department of Health and Human Services Finance and Support.

24 \$534.00 for Request Number 2007-01299, made by the
25 Department of Health and Human Services.

1 \$638.00 for Request Number 2007-01300, made by the
2 Department of Health and Human Services Regulation and Licensure.

3 \$16,982.37 for Request Number 2007-01301, made by the
4 Department of Correctional Services.

5 \$722,819.22 for Request Number 2007-01317, made by the
6 Department of Health and Human Services.

7 \$5,278.28 for Request Number 2007-01319, made by the
8 Department of Health and Human Services for the Norfolk Veterans'
9 Home.

10 \$10,537.58 for Request Number 2007-01346, made by the
11 Military Department.

12 \$400.00 for Request Number 2007-01363, made by the State
13 Fire Marshal.

14 Sec. 5. Since an emergency exists, this act takes effect
15 when passed and approved according to law.