

LEGISLATIVE BILL 88

Approved by the Governor May 21, 2007

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

FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims; and to declare an emergency.

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

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

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

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

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

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

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

\$1,238,723.69 for Claim Number 2007-01379, against the Secretary of State's Office, pay to Nebraska Press Advertising Service, 845 S Street, Lincoln, NE 68508, out of the General Fund.

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

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

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

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

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

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

\$20,000.00 for Tort Claim Number 04-240, against the Department of Roads, pay to Miranda Judds and Shari Daehling, and Vincent Powers, Attorney, 411 South 13th Street, Suite 300, Lincoln, NE 68508, out of the Roads Operations Cash Fund.

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

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

For informational purposes only, the appropriations 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>

Sec. 3. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants on or before June 30, 2007, upon the funds in the state treasury enumerated in this act, in favor of the several beneficiaries named in this act for the amount set opposite their respective names upon the presentation of proper vouchers therefor. The several amounts appropriated in this act shall be in full payment of any and all claims, rights, causes of action, damages, and demands of every character and kind owing by or against the State of Nebraska, its officers, agents, and employees, and their successors and assigns with respect to each of the beneficiaries respectively in whose favor the appropriations are made. The director shall not deliver any warrant for any items appropriated in this act until a receipt and release in full, releasing the State of Nebraska, its officers, employees, and agents, and their successors and assigns, has been filed by each of the beneficiaries respectively. Upon presentation of the warrants, the State Treasurer is hereby directed to pay the same out of money in the General Fund or out of money in other funds indicated in this act not otherwise appropriated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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