

**ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012**  
**COMMITTEE STATEMENT**  
**LB1072**

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**Hearing Date:** Monday February 13, 2012  
**Committee On:** Business and Labor  
**Introducer:** Business and Labor  
**One Liner:** Provide for payment of claims against the state

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Ashford, Carlson, Cook, Harr, Lathrop, Smith, Wallman  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

Molly Burton  
Shannon Anderson  
  
Monty Fredrickson  
Dave McManaman  
Troy Reiners

**Representing:**

Introducer  
Risk Management, Department of Administrative Services  
Nebraska Department of Roads  
DHHS  
Nebraska Treasurer's Office

**Opponents:**

Gregg Nicklas

**Representing:**

Christian Heritage

**Neutral:**

Ken Bernbeck

**Representing:**

self

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**Summary of purpose and/or changes:**

LB 1072 is introduced by the Business and Labor Committee at the request of the Department of Administrative Services, Risk Management Division. This bill introduces the claims against the State that are required by statute to be reviewed by the Legislature. The State Risk Manager submitted the following claims against the State and certain write-offs for the Legislature's review and the appropriation of funds.

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**Explanation of amendments:**

LB 1072 includes the claims approved by the State Claims Board or those claims that have been settled and court ordered. LB 1072 additionally includes agency write-off requests.

\$275,000.00 for Miscellaneous Claim Number 2012-11722, against Secretary of State John Gale, pay to American Civil Liberties Union, out of the General Fund.

\$267,737.62 for Tort Claim Number 2004-00646, against the Department of Correctional Services, pay to Barber and Barber, P.C., L.L.O., out of the General Fund.

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\$227,500.00 for Tort Claim Number 2011-10813, against the State of Nebraska, pay to Jenny L. Ternus and Eugene G. Schumacher, out of the State Insurance Fund.

AGENCY WRITE OFF REQUESTS:

\$2,683.98 for Request Number 2012-11617, made by the Military Department.

\$136,153.13 for Request Number 2012-11660, made by the Department of Roads.

\$21,233.05 for Request Number 2012-11705, made by the Lottery Division of the Department of Revenue.

\$17,746.65 for Request Number 2012-11707, made by the Department of Motor Vehicles.

\$3,664,786.12 for Request Number 2012-11708, made by the Department of Health and Human Services.

\$7,503.05 for Request Number 2012-11716, made by the Department of Administrative Services.

\$101,737.13 for Request Number 2012-11726, made by the State Treasurer.

\$215.33 for Request Number 2012-11762, made by the Supreme Court.

\$10,557.36 for Request Number 2012-11831, made by the Department of Insurance.

AM 2358 amends the denied claims in LB 1073 and AM 1782 into LB 1072:

\$72,325.05 for Miscellaneous Claim Number 2011-11204, against the Department of Health and Human Services, made by Better Living Counseling Services, Inc.

\$77,275.62 for Miscellaneous Claim Number 2012-11510, against the Department of Health and Human Services, made by R&F Hobbies, Inc., dba. Prince of the Road,

\$108,588.53 for Miscellaneous Claim Number 2012-11679, against the Department of Health and Human Services, made by Pathfinder Support Services, Inc.,

\$11,522.72 for Miscellaneous Claim Number 2012-11744, against the Department of Health and Human Services, made by Wesley Center Crisis Nursery,

\$1,232.33 for Miscellaneous Claim Number 2012-11745, against the Department of Health and Human Services, made by Apex Therapy Services,

\$12,193.14 for Miscellaneous Claim Number 2012-11746, against the Department of Health and Human Services, made by Beneficial Behavioral Health Services, Inc.,

\$102,725.94 for Miscellaneous Claim Number 2012-11747, against the Department of Health and Human Services, made by Epworth Village,

\$33,748.45 for Miscellaneous Claim Number 2012-11748, against the Department of Health and Human Services, made by Panhandle Mental Health Center,

\$27,232.13 for Miscellaneous Claim Number 2012-11749, against the Department of Health and Human Services, made by NorthStar Services,

\$5,133.82 for Miscellaneous Claim Number 2012-11750, against the Department of Health and Human Services, made by Family Resources, Inc.,

\$35,483.53 for Miscellaneous Claim Number 2012-11752, against the Department of Health and Human Services, made by Compass,

\$109,761.13 for Miscellaneous Claim Number 2012-11753, against the Department of Health and Human Services, made by Good Life Counseling and Support, L.L.C.,

\$14,278.75 for Miscellaneous Claim Number 2012-11754, against the Department of Health and Human Services, made by Good Life Counseling and Support, L.L.C.,

\$88,800.53 for Miscellaneous Claim Number 2012-11755, against the Department of Health and Human Services, made by Mid-Plains Center for Behavioral Healthcare Services, Inc.,

\$182,716.98 for Miscellaneous Claim Number 2012-11756, against the Department of Health and Human Services, made by South Central Behavioral Services,

\$19,366.25 for Miscellaneous Claim Number 2012-11757, against the Department of Health and Human Services, made by Better Living Counseling Services, Inc.,

\$36,929.04 for Miscellaneous Claim Number 2012-11758, against the Department of Health and Human Services, made by Grace Children's Home,

\$77,546.76 for Miscellaneous Claim Number 2012-11759, against the Department of Health and Human Services, made by Christian Heritage Children's Home,

\$25,896.51 for Miscellaneous Claim Number 2012-11760, against the Department of Health and Human Services, made

by Nebraska Foster and Adoptive Parent Association,  
\$257,795.95 for Miscellaneous Claim Number 2012-11763, against the Department of Health and Human Services, made by Family Skill Building Services, L.L.C.,  
\$16,659.01 for Miscellaneous Claim Number 2012-11764, against the Department of Health and Human Services, made by Midwest Special Services,  
\$421.07 for Miscellaneous Claim Number 2012-11767, against the Department of Health and Human Services, made by Nebraska Children's Home Society,  
\$5,815.15 for Miscellaneous Claim Number 2012-11768, against the Department of Health and Human Services, made by CedarsYouth Services,  
\$17,863.48 for Miscellaneous Claim Number 2012-11769, against the Department of Health and Human Services, made by Indiana Developmental Training Center of Lafayette L.L.C.,  
\$68,951.38 for Miscellaneous Claim Number 2012-11770, against the Department of Health and Human Services, made by Building Blocks for Community Enrichment,  
\$20,645.45 for Miscellaneous Claim Number 2012-11771, against the Department of Health and Human Services, made by Mark of Honor Youth Lodge, Inc.,  
\$16,704.36 for Miscellaneous Claim Number 2012-11772, against the Department of Health and Human Services, made by Mosaic,  
\$87,270.30 for Miscellaneous Claim Number 2012-11782, against the Department of Health and Human Services, made by Norfolk Group Home, Inc.,  
\$8,187.76 for Miscellaneous Claim Number 2012-11783, against the Department of Health and Human Services, made by Children's Square USA,  
\$37,163.72 for Miscellaneous Claim Number 2012-11794, against the Department of Health and Human Services, made by Behavioral Health Specialists, Inc.,  
\$5,885.57 for Miscellaneous Claim Number 2012-11797, against the Department of Health and Human Services, made by Heartland Boys Home, L.L.C.,  
\$1,689.97 for Miscellaneous Claim Number 2012-11798, against the Department of Health and Human Services, made by Harvest Haven Group Homes, L.L.C.,  
\$16,986.79 for Miscellaneous Claim Number 2012-11828, against the Department of Health and Human Services, made by Human Services, Inc.,  
\$899.75 for Miscellaneous Claim Number 2012-11830, against the Department of Health and Human Services, made by Mercy Medical Center,  
\$63,735.00 for Miscellaneous Claim Number 2012-11842, against the Department of Health and Human Services, made by OMNI Behavioral Health,

\$12,416.61 for Miscellaneous Claim Number 2012-11854, against the Department of Health and Human Services, pay to Apex Foster Care, Inc.,  
\$6,933.14 for Miscellaneous Claim Number 2012-11863, against the Department of Health and Human Services, pay to St. Monica's Home,  
\$402,019.17 for Miscellaneous Claim Number 2012-11882, against the Department of Health and Human Services, pay to BSM Inc., dba McConaughy Discovery Center,  
\$5,302.03 for Miscellaneous Claim Number 2012-11895, against the Department of Health and Human Services, pay to Central Mediation Center,  
\$1,224.00 for Miscellaneous Claim Number 2012-11896, against the Department of Health and Human Services, pay to Women In Community Service - WICS Residence for Girls,  
\$4,948.65 for Miscellaneous Claim Number 2012-11897, against the Department of Health and Human Services, pay to Child Saving Institute,  
\$17,883.32 for Miscellaneous Claim Number 2012-11898, against the Department of Health and Human Services, pay to Community Action Partnership of Western Nebraska,  
\$114.10 for Miscellaneous Claim Number 2012-11899, against the Department of Health and Human Services, pay to Myhanh Che,  
\$136,258.51 for Miscellaneous Claim Number 2012-11900, against the Department of Health and Human Services, pay to Heartland Family Service,  
\$65,671.18 for Miscellaneous Claim Number 2012-11901, against the Department of Health and Human Services, pay

to Father Flanagan's Boys' Home,  
\$161,541.19 for Miscellaneous Claim Number 2012-11902, against the Department of Health and Human Services, pay  
to Father Flanagan's Boys' Home,  
\$994.25 for Miscellaneous Claim Number 2012-11910, against the Department of Health and Human Services, pay to  
Donald Tuggle,  
\$952.96 for Miscellaneous Claim Number 2012-11911, against the Department of Health and Human Services, pay to  
Donald Tuggle,  
\$810.26 for Miscellaneous Claim Number 2012-11946, against the Department of Health and Human Services, pay to  
Rick Michaelsen,  
\$8,146.69 for Miscellaneous Claim Number 2012-11947, against the Department of Health and Human Services, pay to  
Northeast Nebraska Juvenile Services,  
\$4,695.00 for Miscellaneous Claim Number 2012-11948, against the Department of Health and Human Services, pay to  
Dr. John Meidlinger.

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Steve Lathrop, Chairperson