

LEGISLATIVE BILL 536

Approved by the Governor May 25, 2013

Introduced by Business and Labor Committee: Lathrop, 12, Chairperson; Ashford, 20; McGill, 26; Wallman, 30.

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 as prescribed; and to declare an emergency.

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

Section 1. 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 claims arising out of miscellaneous items of indebtedness owing by the State of Nebraska.

\$72,808.58 for Miscellaneous Claim Number 2013-12559, against the State of Nebraska, pay to Nebraska Press Advertising Service, 845 "S" Street, Lincoln, NE 68508, out of the General Fund.

\$302,461.44 for Miscellaneous Claim Number 2013-12852, against the Nebraska State Patrol, pay to Dornan, Lustgarten and Troia, PC, LLO, 1403 Farnam Street, Suite 232, Omaha, NE 68102, 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>\$375,270.02</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$375,270.02</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 State Claims Board and approved by the district court, 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.

\$450,000.00 for Tort Claim Number 2011-11083, against the State of Nebraska, pay to Friedman Law Offices, Client Trust Account for Darrel F. Parker, 3800 Normal Boulevard, Suite 200, Lincoln, NE 68506-5240, out of the General Fund.

\$1,200,000.00 for Tort Claim Number 2008-02500, against the Department of Roads, pay to Karen Stodolka, Special Administrator of the Estate of Michael A. Stodolka, and D.C. "Woody" Bradford, III, 1620 Dodge Street, Suite 1800, Omaha, NE 68102-1505, out of the Roads Operations Cash 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>GENERAL FUND</u>	<u>\$450,000.00</u>
<u>CASH FUND</u>	<u>\$1,200,000.00</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$1,650,000.00</u>

Sec. 3. The following sum of money, or so much thereof as may be required, is hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of workers' compensation claims which have been settled by the

Attorney General in the Nebraska Workers' Compensation Court or in which court judgments have been entered and which require the approval of the Legislature for payment.

\$150,000.00 for a workers' compensation claim, pay to Regina Seamann and Rodney Rehm, attorney, Rehm, Bennett and Moore, PC, LLO, 3701 Union Drive, Suite 200, Lincoln, NE 68516, out of the Workers' Compensation Claims Revolving Fund.

The claim included in this section shall be paid through Program 593 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$-0-</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$150,000.00</u>
<u>TOTAL</u>	<u>\$150,000.00</u>

Sec. 4. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants 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. 5. 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:

- \$200.43 for Request Number 2013-12477, made by the Supreme Court.
- \$1,468.00 for Request Number 2013-12500, made by the Military Department.
- \$157.50 for Request Number 2013-12501, made by the Legislative Council.
- \$18,124.45 for Request Number 2013-12532, made by the Department of Correctional Services.
- \$66,141.77 for Request Number 2013-12533, made by the Department of Roads.
- \$2,147.41 for Request Number 2013-12539, made by the Department of Administrative Services.
- \$2,000,345.73 for Request Number 2013-12546, made by the Department of Health and Human Services.
- \$3,643.40 for Request Number 2013-12547, made by the Department of Motor Vehicles.
- \$4,060.00 for Request Number 2013-12549, made by the State Fire Marshal.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.