

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 536

Final Reading

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

Read first time January 23, 2013

Committee: Business and Labor

A BILL

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

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

6 \$72,808.58 for Miscellaneous Claim Number 2013-12559,
 7 against the State of Nebraska, pay to Nebraska Press Advertising
 8 Service, 845 "S" Street, Lincoln, NE 68508, out of the General Fund.

9 \$302,461.44 for Miscellaneous Claim Number 2013-12852,
 10 against the Nebraska State Patrol, pay to Dornan, Lustgarten and
 11 Troia, PC, LLO, 1403 Farnam Street, Suite 232, Omaha, NE 68102, out
 12 of the General Fund.

13 The claims included in this section shall be paid through
 14 Program 536 in Agency 65.

15 For informational purposes only, the appropriations
 16 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>

22 Sec. 2. The following sums of money, or so much thereof
 23 as may be required, are hereby appropriated from the General Fund or
 24 from other funds as indicated in the state treasury, not otherwise

1 appropriated, for the payment of tort claims which have been settled
 2 by the State Claims Board and approved by the district court, which
 3 have been settled by the Attorney General in the district court, or
 4 in which court judgments have been entered and which require the
 5 approval of the Legislature for payment.

6 \$450,000.00 for Tort Claim Number 2011-11083, against the
 7 State of Nebraska, pay to Friedman Law Offices, Client Trust Account
 8 for Darrel F. Parker, 3800 Normal Boulevard, Suite 200, Lincoln, NE
 9 68506-5240, out of the General Fund.

10 \$1,200,000.00 for Tort Claim Number 2008-02500, against
 11 the Department of Roads, pay to Karen Stodolka, Special Administrator
 12 of the Estate of Michael A. Stodolka, and D.C. "Woody" Bradford, III,
 13 1620 Dodge Street, Suite 1800, Omaha, NE 68102-1505, out of the Roads
 14 Operations Cash Fund.

15 The claims included in this section shall be paid through
 16 Program 591 in Agency 65.

17 For informational purposes only, the appropriations
 18 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>

24 Sec. 3. The following sum of money, or so much thereof as

1 may be required, is hereby appropriated from the General Fund or from
 2 other funds as indicated in the state treasury, not otherwise
 3 appropriated, for the payment of workers' compensation claims which
 4 have been settled by the Attorney General in the Nebraska Workers'
 5 Compensation Court or in which court judgments have been entered and
 6 which require the approval of the Legislature for payment.

7 \$150,000.00 for a workers' compensation claim, pay to
 8 Regina Seamann and Rodney Rehm, attorney, Rehm, Bennett and Moore,
 9 PC, LLO, 3701 Union Drive, Suite 200, Lincoln, NE 68516, out of the
 10 Workers' Compensation Claims Revolving Fund.

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

13 For informational purposes only, the appropriation
 14 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>

20 Sec. 4. The Director of Administrative Services is hereby
 21 authorized and directed to draw his or her warrants upon the funds in
 22 the state treasury enumerated in this act, in favor of the several
 23 beneficiaries named in this act for the amount set opposite their
 24 respective names upon the presentation of proper vouchers therefor.

1 The several amounts appropriated in this act shall be in full payment
2 of any and all claims, rights, causes of action, damages, and demands
3 of every character and kind owing by or against the State of
4 Nebraska, its officers, agents, and employees, and their successors
5 and assigns with respect to each of the beneficiaries respectively in
6 whose favor the appropriations are made. The director shall not
7 deliver any warrant for any items appropriated in this act until a
8 receipt and release in full, releasing the State of Nebraska, its
9 officers, employees, and agents, and their successors and assigns,
10 has been filed by each of the beneficiaries respectively. Upon
11 presentation of the warrants, the State Treasurer is hereby directed
12 to pay the same out of money in the General Fund or out of money in
13 other funds indicated in this act not otherwise appropriated.

14 Sec. 5. The following requests were filed by state
15 agencies seeking permission to write off certain accounts. The State
16 Claims Board reviewed and approved the following requests:

17 \$200.43 for Request Number 2013-12477, made by the
18 Supreme Court.

19 \$1,468.00 for Request Number 2013-12500, made by the
20 Military Department.

21 \$157.50 for Request Number 2013-12501, made by the
22 Legislative Council.

23 \$18,124.45 for Request Number 2013-12532, made by the
24 Department of Correctional Services.

25 \$66,141.77 for Request Number 2013-12533, made by the

1 Department of Roads.

2 \$2,147.41 for Request Number 2013-12539, made by the
3 Department of Administrative Services.

4 \$2,000,345.73 for Request Number 2013-12546, made by the
5 Department of Health and Human Services.

6 \$3,643.40 for Request Number 2013-12547, made by the
7 Department of Motor Vehicles.

8 \$4,060.00 for Request Number 2013-12549, made by the
9 State Fire Marshal.

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