

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1019**

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

Read first time January 17, 2008

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 sum  
 2 of money, or so much thereof as may be required, 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           \$14,329.25 for Claim Number 2007-01741, against the  
 7 Department of Revenue, pay to WESCO Insurance Company, 2700 Sanders  
 8 Road, Prospect Heights, IL 60070, out of the General Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>14,329.25</u>
<u>TOTAL</u>	<u>14,329.25</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           \$9,900,000.00 for Tort Claim Number 01-009, against the  
 24 Department of Roads, pay to Gail Fickle and the law firm of  
 25 Keating, O’Gara, Nedved & Peter, P.C., L.L.O., 530 South 13th

1 Street, Suite 100, Lincoln, NE 68508-2795, out of the Roads  
2 Operations Cash Fund.

3 \$25,100.57 for Tort Claim Number 03-132, against the  
4 Department of Correctional Services, pay to Jeffry D. Patterson,  
5 Attorney, Bartle & Geier Law Firm, 1141 H Street, P.O. Box 83104,  
6 Lincoln, NE 68501-3104, out of the General Fund.

7 \$25,000.00 for Tort Claim Number 03-492, against the  
8 Department of Health and Human Services, pay to David Domina on  
9 behalf of Danielle Murray, 2425 South 144th Street, Omaha, NE  
10 68144, out of the General Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>50,100.57</u>
<u>CASH FUND</u>	<u>9,900,000.00</u>
<u>TOTAL</u>	<u>9,950,311.15</u>

19 Sec. 3. The Director of Administrative Services is hereby  
20 authorized and directed to draw his or her warrants upon the  
21 funds in the state treasury enumerated in this act, in favor of  
22 the several beneficiaries named in this act for the amount set  
23 opposite their respective names upon the presentation of proper  
24 vouchers therefor. The several amounts appropriated in this act  
25 shall be in full payment of any and all claims, rights, causes

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

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

16           \$1,352.50 for Request Number 2007-01177, made by the  
17 State Surveyor.

18           \$130.01 for Request Number 2007-01364, made by the  
19 Nebraska Supreme Court.

20           \$25.00 for Request Number 2007-01728, made by the  
21 Department of Health and Human Services for the Hastings Regional  
22 Center.

23           \$95.18 for Request Number 2008-02081, made by the Clerk  
24 of the Legislature.

25           \$3,516.04 for Request Number 2008-02148, made by the

1 Military Department.

2 \$385,746.64 for Request Number 2008-02206, made by the

3 Department of Health and Human Services.

4 \$122.11 for Request Number 2008-02286, made by the

5 Department of Roads.

6 \$2,564.74 for Request Number 2008-02287, made by the

7 Department of Roads.

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