

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1072

Introduced by Business and Labor Committee: Lathrop, 12,
Chairperson; Ashford, 20; Cook, 13; Harr, 8; Wallman,
30.

Read first time January 18, 2012

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 \$275,000.00 for Miscellaneous Claim Number 2012-11722,
 7 against Secretary of State John Gale, pay to American Civil Liberties
 8 Union, 125 Broad Street, 18th Floor, New York, NY 10004-2400, out of
 9 the General Fund.

10 The claims included in this section shall be paid through
 11 Program 536 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$275,000.00</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$275,000.00</u>

19 Sec. 2. The following sums of money, or so much thereof
 20 as may be required, are hereby appropriated from the General Fund or
 21 from other funds as indicated in the state treasury, not otherwise
 22 appropriated, for the payment of tort claims which have been settled
 23 by the State Claims Board and approved by the district court, which
 24 have been settled by the Attorney General in the district court, or

1 in which court judgments have been entered and which require the
2 approval of the Legislature for payment.

3 \$267,737.62 for Tort Claim Number 2004-00646, against the
4 Department of Correctional Services, pay to Barber and Barber, P.C.,
5 L.L.O., 300 North 44th Street, Suite 205, Lincoln, NE 68504-0555, out
6 of the General Fund.

7 The claims included in this section shall be paid through
8 Program 591 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$267,737.62</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$267,737.62</u>

16 Sec. 3. The following sums of money, or so much thereof
17 as may be required, are hereby appropriated from the General Fund or
18 from other funds as indicated in the state treasury, not otherwise
19 appropriated, for the payment of tort claims which have been settled
20 by the State Claims Board and approved by the district court, which
21 have been settled by the Attorney General in the district court, or
22 in which court judgments have been entered and which require the
23 approval of the Legislature for payment.

24 \$227,500.00 for Tort Claim Number 2011-10813, against the

1 State of Nebraska, pay to Jenny L. Ternus and Eugene G. Schumacher,
 2 Attorney at Law, Attn: Eugene G. Schumacher, Attorney at Law, P.O.
 3 Box 1305, Columbus, NE 68602-1305, out of the State Insurance Fund.

4 The claims included in this section shall be paid through
 5 Program 594 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
9 <u>GENERAL FUND</u>	<u>\$-0-</u>
10 <u>CASH FUND</u>	<u>\$-0-</u>
11 <u>REVOLVING FUND</u>	<u>\$227,500.00</u>
12 <u>TOTAL</u>	<u>\$227,500.00</u>

13 Sec. 4. The Director of Administrative Services is hereby
 14 authorized and directed to draw his or her warrants upon the funds in
 15 the state treasury enumerated in this act, in favor of the several
 16 beneficiaries named in this act for the amount set opposite their
 17 respective names upon the presentation of proper vouchers therefor.
 18 The several amounts appropriated in this act shall be in full payment
 19 of any and all claims, rights, causes of action, damages, and demands
 20 of every character and kind owing by or against the State of
 21 Nebraska, its officers, agents, and employees, and their successors
 22 and assigns with respect to each of the beneficiaries respectively in
 23 whose favor the appropriations are made. The director shall not
 24 deliver any warrant for any items appropriated in this act until a

1 receipt and release in full, releasing the State of Nebraska, its
2 officers, employees, and agents, and their successors and assigns,
3 has been filed by each of the beneficiaries respectively. Upon
4 presentation of the warrants, the State Treasurer is hereby directed
5 to pay the same out of money in the General Fund or out of money in
6 other funds indicated in this act not otherwise appropriated.

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

10 \$2,683.98 for Request Number 2012-11617, made by the
11 Military Department.

12 \$136,153.13 for Request Number 2012-11660, made by the
13 Department of Roads.

14 \$21,233.05 for Request Number 2012-11705, made by the
15 Lottery Division of the Department of Revenue.

16 \$17,746.65 for Request Number 2012-11707, made by the
17 Department of Motor Vehicles.

18 \$3,664,786.12 for Request Number 2012-11708, made by the
19 Department of Health and Human Services.

20 \$7,503.05 for Request Number 2012-11716, made by the
21 Department of Administrative Services.

22 \$101,737.13 for Request Number 2012-11726, made by the
23 State Treasurer.

24 \$215.33 for Request Number 2012-11762, made by the
25 Supreme Court.

1 \$10,557.36 for Request Number 2012-11831, made by the
2 Department of Insurance.

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