

LEGISLATIVE BILL 1040

Approved by the Governor April 15, 2002

Introduced by Business and Labor Committee: Connealy, 16, Chairperson; Chambers, 11; Dierks, 40; Hartnett, 45; Schimek, 27; Vrtiska, 1

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 certain write-offs as prescribed; and to declare an emergency.

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

Section 1. There are hereby appropriated the following sums of money, or so much thereof as may be required, 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.

2001-2002 MISCELLANEOUS CLAIMS

DESCRIPTION	DOLLARS
Claim No. 01-773, against the Department of Health and Human Services, pay to <u>Kathy Anstine</u> , 5119 North 114th Street, Omaha, NE 68164, out of the General Fund.	5,000.00
Claim No. 01-843, against the Department of Revenue, pay to <u>Curtis & Mary Blythe</u> , c/o Charles Orr, Attorney, 821 Forest Hill Drive, Coralville, IA 52241, out of the General Fund.	11,179.00
Claim No. 02-011, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	262.50
Claim No. 02-012, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	165.00
Claim No. 02-036, against the Office of the Attorney General, pay to <u>Warren Arganbright</u> , Box 67, Valentine, NE 69201, out of the General Fund.	500.00
Claim No. 02-135, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	142.50
Claim No. 02-149, against the Office of the State Treasurer, pay to <u>Commonwealth of Massachusetts</u> , Abandoned Property Division, 1 Ashburton Place, 12th Floor, Boston, MA 02108, out of the Unclaimed Property Cash Fund.	19,641.50
Claim No. 02-230, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	465.00
Claim No. 02-236, against the Department of Health and Human Services, pay to <u>LeRoy Stegman</u> , c/o Thomas Wagoner, Attorney, P.O. Box 1585, Grand Island, NE 68802, out of the General Fund.	131,233.06

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:

GENERAL FUND	148,947.06
CASH FUNDS	19,641.50
TOTAL	168,588.56

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 Attorney General in the district court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
Tort Claim No. 97-067, against the Game and Parks Commission, pay to <u>Daniel Johnston and K.C. Engdahl</u> , Attorney, 11422 Miracle Hills Dr., Omaha, NE 68164, out of the State Park Cash Revolving Fund.	35,109.74
Tort Claim No. 00-100, against the Department of Health and Human Services, pay to <u>E. Dean Everitt Sr.</u> , Personal	

Representative of the Estate of Kristine Everitt, Deceased, and Bruce Mason, Attorney, 215 Centennial Mall South, Lincoln, NE 68508, out of the Tort Claims Fund, as fully reimbursed by Agency 25 through Program 421. 125,000.00

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:

CASH FUNDS 160,109.74
 TOTAL 160,109.74

Sec. 3. 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 workers' compensation lump-sum settlements which have been approved by the Nebraska Workers' Compensation Court and which require the approval of the Legislature for payment.

DESCRIPTION DOLLARS

Workers' Compensation Lump-Sum Settlement approved by the Nebraska Workers' Compensation Court, pay to Judy Wagner and Rodger D. Moore, Attorney, 3701 Union Dr., Suite 200, Lincoln, NE 68516, out of the Workers' Compensation Claims Revolving Fund. 45,856.08

Workers' Compensation Lump-Sum Settlement approved by the Nebraska Workers' Compensation Court, pay to Margaret Perry and James E. Harris, Attorney, 10050 Regency Circle, Suite 101, Omaha, NE 68114, out of the Workers' Compensation Claims Revolving Fund. 20,039.57

The claims 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:

REVOLVING FUNDS 65,895.65
 TOTAL 65,895.65

Sec. 4. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants on or before June 30, 2003, 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:

DESCRIPTION DOLLARS

Request No. 02-300, made by the Department of Health and Human Services, Western Nebraska Veterans' Home 16,931.16

Request No. 02-306, made by the Supreme Court 129.41

Request No. 02-355, made by the Department of Health and Human Services Finance and Support 65,309.80

Request No. 02-369, made by the Department of Health and Human Services, Vital Statistics 806.83

Request No. 02-370, made by the State Energy Office 32,200.33

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