

LEGISLATIVE BILL 806

Approved by the Governor May 26, 2003

Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson;
 Burling, 33; Chambers, 11; Combs, 32; Hartnett, 45; Kremer, 34;
 Preister, 5

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.

2002-2003 MISCELLANEOUS CLAIMS

DESCRIPTION	DOLLARS
Claim No. 01-323, against the Office of the Attorney General, pay to <u>Hall County Attorney</u> , c/o Jerom Janulewicz, P.O. Box 367, Grand Island, NE 68802, out of the General Fund.	90.00
Claim No. 01-352, against the Office of the Attorney General, pay to <u>Edmond Talbot</u> , Washington County Attorney, 1555 Colfax, Blair, NE 68008, out of the General Fund.	227.50
Claim No. 01-377, against the Office of the Attorney General, pay to <u>Keith County Attorney</u> , c/o Deborah Gilg, P.O. Box 29, Ogallala, NE 69153, out of the General Fund.	1,500.00
Claim No. 01-450, against the Office of the Attorney General, pay to <u>Hall County Attorney</u> , c/o Jerom Janulewicz, P.O. Box 367, Grand Island, NE 68802, out of the General Fund.	117.00
Claim No. 01-473, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	150.00
Claim No. 01-474, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	150.00
Claim No. 01-475, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	100.00
Claim No. 01-476, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	300.00
Claim No. 01-786, against the Office of the Attorney General, pay to <u>John Freudenberg</u> , Box 490, Rushville, NE 69360, out of the General Fund.	450.00
Claim No. 02-075, against the Office of the Attorney General, pay to <u>Melanie Young</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	33.00
Claim No. 02-181, against the Office of the Attorney General, pay to <u>McPherson County Attorney</u> , P.O. Box 1605, North Platte, NE 69103, out of the General Fund.	500.00
Claim No. 02-276, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848, out of the General Fund.	175.00
Claim No. 02-277, against the Office of the Attorney General, pay to <u>Melodie Bellamy</u> , Buffalo County Attorney's Office, P.O. Box 67, Kearney, NE 68848,	

out of the General Fund. 225.00
 Claim No. 02-278, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 400.00
 Claim No. 02-279, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 225.00
 Claim No. 02-280, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 125.00
 Claim No. 02-281, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 325.00
 Claim No. 02-282, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 100.00
 Claim No. 02-283, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 450.00
 Claim No. 02-284, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 325.00
 Claim No. 02-285, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 200.00
 Claim No. 02-286, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 250.00
 Claim No. 02-287, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 175.00
 Claim No. 02-288, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 250.00
 Claim No. 02-289, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 250.00
 Claim No. 02-290, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 100.00
 Claim No. 02-291, against the Office of the Attorney General,
 pay to Melodie Bellamy, Buffalo County Attorney's Office, P.O.
 Box 67, Kearney, NE 68848,
 out of the General Fund. 150.00
 Claim No. 02-310, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 540.00
 Claim No. 02-400, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 434.00
 Claim No. 02-401, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 448.00
 Claim No. 02-412, against the Department of Environmental
 Quality, pay to Western Cooperative Co., P.O. Box H, Alliance,
 NE 69301,
 out of the General Fund. 20,501.69
 Claim No. 02-428, against the Department of Property Assessment
 and Taxation, pay to Keith County, P.O. Box 239, Ogallala, NE

69153,
out of the General Fund. 139.11
Claim No. 02-452, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 262.50
Claim No. 02-475, against the Department of Revenue, pay to MCI
Worldcom, c/o CityVest, 9 East 4th Street, Tulsa, OK 74103,
out of the General Fund. 33,242.30
Claim No. 02-510, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 133.00
Claim No. 02-511, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 371.00
Claim No. 02-512, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 189.00
Claim No. 02-513, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 196.00
Claim No. 02-542, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 342.00
Claim No. 02-543, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 357.00
Claim No. 02-583, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 448.00
Claim No. 02-640, against the Department of Banking and
Finance, pay to Oppenheimer Funds, c/o Katherine Feld, 498
Seventh Ave, New York, NY 10018,
out of the Securities Act Cash Fund. 45,000.00
Claim No. 02-641, against the Department of Banking and
Finance, pay to Oppenheimer Funds, c/o Katherine Feld, 498
Seventh Ave, New York, NY 10018,
out of the Securities Act Cash Fund. 45,000.00
Claim No. 02-652, against the Office of the Attorney General,
pay to John Freudenberg, Box 490, Rushville, NE 69360,
out of the General Fund. 1,190.00
Claim No. 02-698, against the Department of Banking and
Finance, pay to Automated Business Development Corporation, c/o
Mary Bucci, 529 Main Street, Boston, MA 02129,
out of the Securities Act Cash Fund. 127,050.00
Claim No. 02-732, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 198.00
Claim No. 02-733, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 45.00
Claim No. 02-734, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 396.00
Claim No. 02-735, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 153.00
Claim No. 02-736, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 252.00
Claim No. 02-737, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 171.00
Claim No. 02-738, against the Office of the Attorney General,
pay to Thomas Donner, Cuming County Attorney, 137 S. Main
Street, Suite 2, West Point, NE 68788,
out of the General Fund. 207.00

Claim No. 02-739, against the Office of the Attorney General,
 pay to Thomas Donner, Cuming County Attorney, 137 S. Main
 Street, Suite 2, West Point, NE 68788,
 out of the General Fund. 126.00

Claim No. 02-757, against the Department of
 Revenue, pay to Gerald and Joan Beller, P.O. Box 540426, Omaha,
 NE 68154,
 out of the General Fund. 14,277.02

Claim No. 02-761, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 382.50

Claim No. 02-762, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 382.50

Claim No. 02-763, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 165.00

Claim No. 02-764, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 497.00

Claim No. 02-765, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 187.50

Claim No. 02-800, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 301.00

Claim No. 02-804, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 280.00

Claim No. 02-891, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 350.00

Claim No. 03-040, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 203.00

Claim No. 03-041, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 343.00

Claim No. 03-113, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 630.00

Claim No. 03-163, against the Supreme Court, pay to Lisa
 Oliveto and Ann Ebsen, Attorney, 103 Highland Street,
 Papillion, NE 68046,
 out of the General Fund. 3,075.92

Claim No. 03-292, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 574.00

Claim No. 03-325, against the Office of the Attorney General,
 pay to John Freudenberg, Box 490, Rushville, NE 69360,
 out of the General Fund. 1,470.00

Claim No. 03-354, against the Department of Health and Human
 Services, pay to Boys & Girls Home of Nebraska, 100 Futures
 Drive, South Sioux City, NE 68776,
 out of the General Fund. 13,970.00

Claim No. 03-406, against the Secretary of State, pay to
Nebraska Press Advertising Service, c/o Allen Beermann, 845 S
 Street, Lincoln, NE 68508,
 out of the General Fund. 55,341.54

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	160,114.08
CASH FUNDS	217,050.00
TOTAL	377,164.08

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. 97-397, against the Department of Health and Human Services, pay to <u>Taunia Fuhrman and Michael Coyle, Attorney, 409 S. 17th St., Omaha, NE 68102,</u> out of the General Fund.	194,685.76
The claim included in this section shall be paid through Program 591 in Agency 65.	
For informational purposes only, the appropriation contained in this section and fund source:	
GENERAL FUND	194,685.76 TOTAL
194,685.76	

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 settlements 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 <u>Robert Soto and James Paloucek, Attorney, P.O. Box 1088, North Platte, NE 68516,</u> out of the Workers' Compensation Claims Revolving Fund.	21,676.64
Workers' Compensation Settlement and Judgment, pay to <u>Greg Penner and Lee Loudon, Attorney, 7441 O Street, Suite 203, Lincoln, NE 68510,</u> out of the Workers' Compensation Claims Revolving Fund.	24,624.28

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

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

REVOLVING FUNDS	46,300.92
TOTAL	46,300.92

Sec. 4. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants on or before June 30, 2004, 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. 02-337, made by the Military Department	6,895.08
Request No. 02-557, made by the Department of Health and Human Services	236,047.17
Request No. 02-805, made by the Department of Revenue, Lottery Division	4,864.96
Request No. 02-885, made by the Clerk of the Legislature	25.84
Request No. 03-284, made by the Military Department	5,926.49
Request No. 03-333, made by the Commission for the Deaf and Hard of Hearing	1,131.00
Request No. 03-334, made by the Department of Health and Human Services, Grand Island Veterans' Home	73,087.51
Request No. 03-335, made by the Department of Health and Human Services Finance and Support	29,976.44
Request No. 03-336, made by the Department of Health and Human Services, Western Nebraska Veterans' Home	2,891.29
Request No. 03-337, made by the Game and Parks	

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Commission	4,890.83
Request No. 03-352, made by the State Fire Marshal	53,090.00
Request No. 03-388, made by the Department of Health and Human Services, Vital Statistics	553.00

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