

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 737
FINAL READING

Introduced by Business and Labor Committee:
Cunningham, 40, Chairperson; Burling, 33; Combs, 32;
Kremer, 34; Preister, 5; Schimek, 27

Read first time January 19, 2005

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 certain write-offs as
4 prescribed; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

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

7 2004-2005 MISCELLANEOUS CLAIMS	
8 DESCRIPTION	DOLLARS
9 Claim No. 04-343, against the Office of the Attorney 10 General, pay to <u>John Freudenberg</u> , Box 490, 11 Rushville, NE 69360, out of the General Fund.	679.00
12 Claim No. 04-385, against the University of 13 Nebraska, pay to <u>St. Elizabeth Regional Medical</u> 14 <u>Center</u> , c/o Sharon Birch, P.O. Box 30450, Lincoln, 15 NE 68503, out of the University of Nebraska-Lincoln 16 Revolving Fund.	25,994.71
17 Claim No. 04-391, against the Office of the Attorney 18 General, pay to <u>John Freudenberg</u> , Box 490, 19 Rushville, NE 69360, out of the General Fund.	2,264.60
20 Claim No. 04-759, against the Department of Roads, 21 pay to <u>Ponderosa Ranch</u> , c/o Gary Burival, 49250 22 876th Road, O'Neill, NE 68763, out of the Roads 23 Operations Cash Fund.	17,727.00
24 Claim No. 05-100, against the Department of Revenue, 25 pay to <u>Arrow Energy Inc.</u> , c/o Nelson Brown Equities, 26 5201 SW Westgate Drive, Suite 100, Portland, 27 OR 97221, out of the General Fund.	80,628.61
28 Claim No. 05-130, against the Department of Revenue,	

1 pay to US West Communications, c/o Judy Najera, 1801
 2 California Street, #2500, Denver, CO 80202,
 3 out of the General Fund. 52,209.08

4 Claim No. 05-218, against the Department of
 5 Correctional Services, pay to James Brebner, c/o
 6 CSI, 800 Pioneers Boulevard, Lincoln, NE 68502, out
 7 of the Correctional Industries Revolving
 8 Fund. 4,010.98

9 Claim No. 05-248, against the Office of the
 10 Secretary of State, pay to Nebraska Press
 11 Advertising Service, c/o Allen Beerman, 845 S
 12 Street, Lincoln, NE 68508, out of the General
 13 Fund. 309,845.58

14 Claim No. 05-270, against the Office of the Attorney
 15 General, pay to Nebraska Appleseed Center, c/o
 16 Rebecca Gould, 941 O Street, Suite 105, Lincoln, NE
 17 68508, out of the General Fund. 153,332.58

18 The claims included in this section shall be paid through
 19 Program 536 in Agency 65.

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

22 GENERAL FUND	598,959.45
23 CASH FUNDS	17,727.00
24 REVOLVING FUNDS	30,005.69
25 TOTAL	646,692.14

26 Sec. 2. There are hereby appropriated the following sums
 27 of money, or so much thereof as may be required, from the General
 28 Fund or from other funds as indicated in the state treasury, not

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

5 DESCRIPTION	DOLLARS
6 Tort Claim No. 02-458, against the Department of	
7 Roads, pay to <u>Joshua Smith and James Schaefer,</u>	
8 <u>Attorney</u> , 1001 Farnam Street, Omaha, NE 68102,	
9 out of the Roads Operations Cash Fund.	241,000.00

10 The claim included in this section shall be paid through
11 Program 591 in Agency 65.

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

14 GENERAL FUND	-0-
15 CASH FUNDS	241,000.00
16 TOTAL	241,000.00

17 Sec. 3. There are hereby appropriated the following sums
18 of money, or so much thereof as may be required, from the indicated
19 fund in the state treasury, not otherwise appropriated, for the
20 payment of workers' compensation claims which have been settled by
21 the Attorney General or in which court judgments have been entered
22 and which require the approval of the Legislature for payment.

23 DESCRIPTION	DOLLARS
24 Workers' compensation judgment, pay to <u>Alice Jones</u>	
25 <u>and Elaine A. Waggoner, Attorney</u> , 216 North 11th	
26 Street, Suite 301, Lincoln, NE 68508, out of the	
27 Workers' Compensation Claims Revolving Fund.	116,285.76
28 Workers' compensation judgment, pay to <u>Cynthia</u>	

1 Blodgett-McDeavitt and Stephen L. Gerdes, Attorney,
2 11920 Burt Street, #145, Omaha, NE 68154, out of the
3 Workers' Compensation Claims Revolving Fund. 28,604.66
4 Workers' compensation lump-sum settlement, pay to
5 Duane Saltz and Ralph Bradley, Attorney, 202 West
6 3rd Street, Grand Island, NE 68802, out of the
7 Workers' Compensation Claims Revolving Fund. 35,000.00

8 The claims in this section shall be paid through Program
9 593 in Agency 65.

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

12 REVOLVING FUNDS	179,890.42
13 TOTAL	179,890.42

14 Sec. 4. The Director of Administrative Services is
15 hereby authorized and directed to draw his or her warrants on or
16 before June 30, 2006, upon the funds in the state treasury
17 enumerated in this act, in favor of the several beneficiaries named
18 in this act for the amount set opposite their respective names upon
19 the presentation of proper vouchers therefor. The several amounts
20 appropriated in this act shall be in full payment of any and all
21 claims, rights, causes of action, damages, and demands of every
22 character and kind owing by or against the State of Nebraska, its
23 officers, agents, and employees, and their successors and assigns
24 with respect to each of the beneficiaries respectively in whose
25 favor the appropriations are made. The director shall not deliver
26 any warrant for any items appropriated in this act until a receipt
27 and release in full, releasing the State of Nebraska, its officers,
28 employees, and agents, and their successors and assigns, has been

1 filed by each of the beneficiaries respectively. Upon presentation
 2 of the warrants, the State Treasurer is hereby directed to pay the
 3 same out of money in the General Fund or out of money in other
 4 funds indicated in this act not otherwise appropriated.

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

8 DESCRIPTION	DOLLARS
9 Request No. 04-426, made by the State Department of 10 Education	1,145.00
11 Request No. 04-781, made by the Clerk of the 12 Legislature	8.66
13 Request No. 05-199, made by the Commission for the 14 Deaf and Hard of Hearing	45.00
15 Request No. 05-204, made by the Department of Insurance	39.00
16 Request No. 05-205, made by the Department of Health 17 and Human Services	139,047.44
18 Request No. 05-206, made by the Norfolk Veterans' Home	6,940.05
19 Request No. 05-207, made by the Department of Health 20 and Human Services Regulation and Licensure	332.91
21 Request No. 05-208, made by the Department of Health 22 and Human Services Finance and Support	676.00
23 Request No. 05-209, made by the Grand Island 24 Veterans' Home	12,751.96
25 Request No. 05-210, made by the Game and Parks 26 Commission	24,377.74
27 Request No. 05-211, made by the Game and Parks 28 Commission	42,199.42

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