

LEGISLATIVE BILL 1126

Approved by the Governor April 3, 2006

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

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.

\$162.00 for Claim Number 05-260, against the Office of the Attorney General, pay to Thomas Donner, 137 S. Main Street, Suite 2, West Point, NE 68788, out of the General Fund.

\$126.00 for Claim Number 05-261, against the Office of the Attorney General, pay to Thomas Donner, 137 S. Main Street, Suite 2, West Point, NE 68788, out of the General Fund.

\$36.00 for Claim Number 05-262, against the Office of the Attorney General, pay to Thomas Donner, 137 S. Main Street, Suite 2, West Point, NE 68788, out of the General Fund.

\$21,341.75 for Claim Number 05-307, against the Department of Revenue, pay to Bettina Stoll-Dugan, 3731 Faulkner Drive, Lincoln, NE 68516, out of the General Fund.

\$16,599.00 for Claim Number 2005-00033, against the Department of Revenue, pay to Peter and Annette Townley, 1917 N. 100th Street, Omaha, NE 68114, out of the General Fund.

\$10,652.00 for Claim Number 2005-00272, against the Department of Revenue, pay to National By-Products, Inc., P.O. Box 615, Des Moines, IA 50303, out of the General Fund.

\$20,000.00 for Claim Number 2006-00556, against the Office of the Attorney General, pay to National Health Law Program, 1101 14th Street NW, Suite 405, Washington, DC 20005, out of the General Fund.

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:

FUND SOURCE	DOLLAR AMOUNT
GENERAL FUND	68,916.75
TOTAL	68,916.75

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.

\$150,000.00 for Tort Claim Number 03-307, against the Department of Roads, pay to Cathee Phillips and Andy Phillips, Individually and as Co-Personal Representatives of the Estate of Jonathan Phillips, Deceased, and Daniel Hartnett, Attorney, 614 Pierce Street, Box 27, Sioux City, IA 51101, out of the Roads Operations Cash Fund.

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:

FUND SOURCE	DOLLAR AMOUNT
CASH FUND	150,000.00
TOTAL	150,000.00

Sec. 3. The Director of Administrative Services is hereby authorized

and directed to draw his or her warrants on or before June 30, 2006, 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. 4. 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:

\$130.00 for Request Number 2005-00131, made by the State Department of Education.

\$39.00 for Request Number 2005-00132, made by the State Department of Education.

\$1,676.71 for Request Number 2005-00149, made by the Department of Health and Human Services Regulation and Licensure.

\$19.55 for Request Number 2006-00399, made by the Clerk of the Legislature.

\$570.00 for Request Number 2006-00507, made by the Department of Health and Human Services Finance and Support.

\$32,706.02 for Request Number 2006-00511, made by the State Energy Office.

\$77,001.32 for Request Number 2006-00512, made by the Department of Health and Human Services Finance and Support.

\$8,822.69 for Request Number 2006-00517, made by the Department of Health and Human Services for the Thomas Fitzgerald Veterans' Home.

\$10,893.17 for Request Number 2006-00534, made by the Military Department.

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