

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

May 4, 2005

LB 737

Claims Board. The total miscellaneous claims this year are \$696,692.14, of which \$598,959.45 comes from the General Fund, \$17,727 from cash funds, and \$30,005.69 from revolving funds. Another type of claim that's included in this bill is a tort claim, as provided for under the Tort Claims Act. If the court enters a judgment against the state, or a settlement agreement was entered into whereby the state agreed to pay a sum of money to the claimant, then it is included in this bill. Total tort claims, and there is only one, \$241,000. The third type of claim are workers' compensation claims whereby the court awarded a judgment against the state, or the state entered into a settlement with the claimant. Workers' compensation claims in this bill total...bill and the amendment, total \$179,890.42. Finally, there are also write-offs included in this bill whereby an agency has attempted to collect a debt that it thinks is no longer collectible. The monies we are asking for approval for are those sums that are above the statutory sums that the risk manager is allowed to pay and, therefore, must have the Legislature's approval. All of these claims were approved by the State Claims Board. The Business and Labor Committee, after further investigation, approved the bill and the amendment by a 6 to 0 vote, with Senator Chambers absent that day. And after I do the amendment, the committee amendment next, I would ask you to look for this copy I handed out this morning, "State Claims Bill -- LB 737." After we go through the amendment, I'll explain that a little bit. And with that, that will end the opening on the bill, Senator Cudaback.

SENATOR CUDABACK: As stated by the Clerk, there are amendments by the Business and Labor Committee. Chairman of the committee Cunningham, you're recognized to open.

SENATOR CUNNINGHAM: Thank you, Senator Cudaback and members. We have the committee amendment that strikes the original Section 2 of LB 737 and inserts the tort claim number 02-458. This claim is for the bus driver of the Seward school system that went off West Dodge Road in Omaha. There was a settlement agreement for \$291,000. The risk manager has the authority to pay the first \$50,000, and is asking the Legislature to approve the additional \$241,000 owing under this agreement. The amendment also provides for the payment of three workers'