

09 - 0408

March 16, 2009

Governor Tim Pawlenty
130 State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

Senator Ron Latz
306 State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

Representative Ryan Winkler
525 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

RE: I-35W Emergency Hardship Relief Fund Payments Ended to Facilitate Settlement Offers

Dear Governor Pawlenty, Senator Latz, and Representative Winkler:

Payments from the I-35W Emergency Hardship Relief Fund were ceased as of March 6, 2009 in order for the special masters to finalize the settlement amounts for all claimants in accordance with Minnesota Laws of 2008, Chapter 288, Section 4, Subd. 10, which states:

Subd. 10. **Calculation of amount.** The panel shall determine the total damages incurred by a survivor. The amount of an offer of settlement under this section must be calculated based on the total damages, less:

- (1) payments made to the survivor up to the date the settlement offer is made from the collateral sources referred to in section 548.36, subdivision 1;
- (2) any payment made to the survivor from the emergency relief fund; and
- (3) any payments made or required to be made to the survivor by a third-party tortfeasor under the terms of a settlement or other agreement with the survivor that exists at the time the offer is made or a final judgment in favor of the survivor concerning claims of the survivor that relate to, involve, or arise out of the catastrophe.

Overview and Summary of I-35W Emergency Hardship Relief Fund Payments

The I-35W Emergency Hardship Relief Fund was established by Governor Pawlenty and the co-chairs of the Joint House-Senate Subcommittee on Claims, Senator Ron Latz and Representative Dennis Ozment on November 29, 2007 to provide near-term relief for the victims of the I-35W bridge collapse. The \$1 million fund was created using available balances of two existing tort claim appropriations. Payments were made under M.S. 604.01. Below is a table identifying the amounts paid from each appropriation to a total of 40 claimants.

Fund	Appropriation Language	Amount Paid
270 Trunk Highway Fund	Laws of 2007, Chapter 143, Article 1, Section 7	\$ 116,682.23
100 General Fund	Laws of 2007, Chapter 148, Article 1, Section 20	\$ 282,302.13
Total of payments		\$ 398,984.36

Questions regarding this information may be directed to Curt Yoakum at Minnesota Management & Budget (651) 201-8014.

Sincerely,



Tom Hanson
Commissioner

cc: The Honorable Lawrence J. Pogemiller, Senate Majority Leader
The Honorable Margaret Anderson Kelliher, Speaker of the House
Bill Marx, House Fiscal Analysis
Matt Massman, Senate Fiscal Analysis
Helen Roberts, House Fiscal Analysis
Kevin Lundeen, Senate Fiscal Analysis
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