

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 282

Introduced by Riepe, 12.

Read first time January 11, 2023

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to claims against the state; to appropriate
- 2 funds for the payment of certain claims; to provide for payment of
- 3 the claims; to authorize agencies to write off certain claims as
- 4 prescribed; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

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

6 \$250,000.00 for Line of Duty Claim Number 2023-22023, against the
7 State of Nebraska, for Darren Krull who died in the Line of Duty, pay to
8 Cheryl Krull, 710 Ontario Avenue, Elwood, Nebraska 68937, out of the
9 General Fund.

10 \$250,000.00 for Line of Duty Claim Number 2023-22024, against the
11 State of Nebraska, for Donald Gross who died in the Line of Duty, pay to
12 Allison Gross, 3601 W. Plum Street, Lincoln, Nebraska 68522, out of the
13 General Fund.

14 \$250,000.00 for Line of Duty Claim Number 2023-22040, against the
15 State of Nebraska, for Jeffrey Hermanson who died in the Line of Duty,
16 pay to Cindi Hermanson, 307 N. King Street, Cedar Bluffs, Nebraska 68015,
17 out of the General Fund.

18 \$71,483.44 for Miscellaneous Claim Number 2023-22334, against the
19 State of Nebraska, pay to Nebraska Press Advertising Service, 845 "S"
20 Street, Lincoln, NE 68508-1266, out of the General Fund.

21 The claims included in this section shall be paid through Program
22 536 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
26 <u>GENERAL FUND</u>	<u>\$821,483.44</u>
27 <u>CASH FUND</u>	<u>\$-0-</u>
28 <u>REVOLVING FUND</u>	<u>\$-0-</u>
29 <u>TOTAL</u>	<u>\$821,483.44</u>

30 Sec. 2. The following sum of money, or so much thereof as may be
31 required, is hereby appropriated from the General Fund or from other

1 funds as indicated in the state treasury, not otherwise appropriated, for
2 the payment of tort claims which have been settled by the State Claims
3 Board and approved by the district court, which have been settled by the
4 Attorney General in the district court, or in which court judgments have
5 been entered and which require the approval of the Legislature for
6 payment.

7 \$45,000.00 for Claim Number 2019-18570, against the State of
8 Nebraska, pay to Dornan, Troia, Howard, Breitreutz & Conway, P.C.,
9 L.L.O., 1403 Farnam Street, Suite 232, Omaha, Nebraska 68102, on behalf
10 of Jason Galle, out of the General Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$45,000.00</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$45,000.00</u>

20 Sec. 3. The following sum of money, or so much thereof as may be
21 required, is hereby appropriated from the General Fund or from other
22 funds as indicated in the state treasury, not otherwise appropriated, for
23 the payment of an indemnification claim which has been settled by the
24 State Claims Board and approved by the district court, which has been
25 settled by the Attorney General in the district court, or in which a
26 court judgment has been entered and which requires the approval of the
27 Legislature for payment.

28 \$49,500 for Indemnification Claim Number CI 21-3850, against the
29 State of Nebraska, pay to Shiffermiller Law Trust Account on behalf of
30 Adam J. Koenig, Shiffermiller Law Office, P.C., L.L.O., 1002 G Street,
31 Lincoln, Nebraska 68508, out of the General Fund.

1 The claim included in this section shall be paid through Program 592
2 in Agency 65.

3 For informational purposes only, the appropriation contained in this
4 section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
6 <u>GENERAL FUND</u>	\$49,500.00
7 <u>CASH FUND</u>	\$-0-
8 <u>REVOLVING FUND</u>	\$-0-
9 <u>TOTAL</u>	\$49,500.00

10 Sec. 4. The following sum of money, or so much thereof as may be
11 required, is hereby appropriated from the General Fund or from other
12 funds as indicated in the state treasury, not otherwise appropriated, for
13 the payment of a workers' compensation claim which has been settled by
14 the Attorney General in the Nebraska Workers' Compensation Court or in
15 which a court judgment has been entered and which requires the approval
16 of the Legislature for payment.

17 \$25,000.00 for a workers' compensation claim, pay to Harris Law
18 Offices, P.C., 3400 O Street, P.O. Box 30886, Lincoln, NE 68503-0886, on
19 behalf of Stacie Brown, out of the Workers' Compensation Claims Revolving
20 Fund.

21 The claim included in this section shall be paid through Program 593
22 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
26 <u>GENERAL FUND</u>	\$-0-
27 <u>CASH FUND</u>	\$-0-
28 <u>REVOLVING FUND</u>	\$25,000.00
29 <u>TOTAL</u>	\$25,000.00

30 Sec. 5. The following sums of money, or so much thereof as may be
31 required, are hereby appropriated from the General Fund or from other

1 funds as indicated in the state treasury, not otherwise appropriated, for
2 the payment of state insurance claims which have been settled by the
3 State Claims Board and approved by the district court, which have been
4 settled by the Attorney General in the district court, or in which a
5 court judgment has been entered and which requires the approval of the
6 Legislature for payment.

7 \$152,500.00 for Claim Number 2019-18631, against the State of
8 Nebraska, pay to Reed Law Offices, P.C., L.L.O., 3032 S. 87th Street,
9 Omaha, Nebraska 68124, on behalf of Jeannet Anderson, out of the State
10 Insurance Fund.

11 \$100,000.00 for Claim Number 2019-18641, against the State of
12 Nebraska, pay to Rod Rehm, 3701 Union Drive, Suite 200, P.O. Box 22067,
13 Lincoln, Nebraska 68542-2067, on behalf of Elizabeth Champion, out of the
14 State Insurance Fund.

15 The claims included in this section shall be paid through Program
16 594 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
20 <u>GENERAL FUND</u>	<u>\$-0-</u>
21 <u>CASH FUND</u>	<u>\$-0-</u>
22 <u>REVOLVING FUND</u>	<u>\$252,500.00</u>
23 <u>TOTAL</u>	<u>\$252,500.00</u>

24 Sec. 6. The Director of Administrative Services is hereby
25 authorized and directed to draw his or her warrants upon the funds in the
26 state treasury enumerated in this act, in favor of the several
27 beneficiaries named in this act for the amount set opposite their
28 respective names, upon the presentation of proper vouchers therefor. The
29 several amounts appropriated in this act shall be in full payment of any
30 and all claims, rights, causes of action, damages, and demands of every
31 character and kind owing by or against the State of Nebraska, its

1 officers, agents, and employees, and their successors and assigns with
2 respect to each of the beneficiaries respectively in whose favor the
3 appropriations are made. The director shall not deliver any warrant for
4 any items appropriated in this act until a receipt and release in full,
5 releasing the State of Nebraska, its officers, employees, and agents, and
6 their successors and assigns, has been filed by each of the beneficiaries
7 respectively. Upon presentation of the warrants, the State Treasurer is
8 hereby directed to pay the same out of money in the General Fund or out
9 of money in other funds indicated in this act not otherwise appropriated.

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

13 \$4,175.00 for Request Number 2023-22240, made by the Nebraska
14 Accountability and Disclosure Commission.

15 \$33.63 for Request Number 2023-22244, made by the Legislative
16 Council.

17 \$193,971.08 for Request Number 2023-22245, made by the Department of
18 Transportation.

19 \$14,398.30 for Request Number 2023-22246, made by the Department of
20 Revenue.

21 \$2,142.25 for Request Number 2023-22260, made by the Game and Parks
22 Commission.

23 \$35,869.83 for Request Number 2023-22261, made by the Department of
24 Labor.

25 \$660,654.08 for Request Number 2023-22262, made by the Department of
26 Labor.

27 \$6,289.00 for Request Number 2023-22263, made by the State Fire
28 Marshal.

29 \$7,240.03 for Request Number 2023-22264, made by the Department of
30 Veterans' Affairs.

31 \$12,844.70 for Request Number 2023-22266, made by the Department of

1 Revenue.

2 \$875,459.89 for Request Number 2023-22267, made by the Department of
3 Health and Human Services.

4 Sec. 8. Since an emergency exists, this act takes effect when
5 passed and approved according to law.