

LEGISLATIVE BILL 282

Approved by the Governor May 22, 2023

Introduced by Riepe, 12.

A BILL FOR 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 agencies to write off certain claims as prescribed; to approve a contract claim; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. 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 claims arising out of miscellaneous items of indebtedness owing by the State of Nebraska.

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

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

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

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

\$250,000.00 for Line of Duty Claim Number 2023-22452, against the State of Nebraska, for Michael Moody who died in the Line of Duty, pay to Cheryl Moody, 84459 Purdum Avenue, Purdum, Nebraska 69157, out of the General Fund.

\$250,000.00 for Line of Duty Claim Number 2023-22455, against the State of Nebraska, for John Trumble who died in the Line of Duty, pay to Staci Trumble, Kyle Trumble, Mike Trumble, and Jodi Cobb, 416 West 11th Avenue, Holdrege, Nebraska 68949, 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:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$1,321,483.44</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$1,321,483.44</u>

Sec. 2. The following sum of money, or so much thereof as may be required, is hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of a tort claim which has been settled by the State Claims Board and approved by the district court, which has been settled by the Attorney General in the district court, or in which a court judgment has been entered and which requires the approval of the Legislature for payment.

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

<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>

Sec. 3. 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 indemnification claims which have been settled by the State Claims Board and approved by the district court, 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.

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

\$18,750,000.00 for Indemnification Claims 4:11-CV-3229, CI 13-1607, CI 13-1608, CI 13-1609, CI 13-1611, CI 13-1612, CI 13-1616, and CI 13-1617, against the State of Nebraska, from which amount the State of Nebraska shall make state and federal withholdings pursuant to the settlement agreement, then pay the remainder to the Keating, O'Gara, Nedved and Peter, PC, LLO Trust Account, 200 S. 21st Street, Suite 400, Lincoln, Nebraska 68510, out of the State Self-Insured Indemnification Fund.

The claims included in this section shall be paid through Program 592 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$49,500.00</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$18,750,000.00</u>
<u>TOTAL</u>	<u>\$18,799,500.00</u>

Sec. 4. 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 workers' compensation claims which have been settled by the Attorney General in the Nebraska Workers' Compensation Court or in which court judgments have been entered and which require the approval of the Legislature for payment.

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

\$25,000.00 for a workers' compensation claim, pay to High and Younes, LLC, 6919 Dodge Street, Omaha, Nebraska 68132, on behalf of Richard Rulla, out of the Workers' Compensation Claims Revolving Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$-0-</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$50,000.00</u>
<u>TOTAL</u>	<u>\$50,000.00</u>

Sec. 5. 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 state insurance claims which have been settled by the State Claims Board and approved by the district court, 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.

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

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

\$150,000.00 for Claim Number 2019-19477, against the State of Nebraska, pay to Steffens Law Trust Account, Steffens Law Office, P.C., 255 S. 10th Avenue, P.O. Box 363, Broken Bow, Nebraska 68822, on behalf of Rachael Rufenacht, out of the State Insurance Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
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<u>GENERAL FUND</u>	<u>\$-0-</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$402,500.00</u>
<u>TOTAL</u>	<u>\$402,500.00</u>

Sec. 6. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants 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. 7. 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:

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

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

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

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

\$600.00 for Request Number 2023-22255, made by the State Treasurer.

\$16,616.81 for Request Number 2023-22256, made by the State Treasurer.

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

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

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

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

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

\$12,844.70 for Request Number 2023-22266, made by the Nebraska Public Employees Retirement Systems.

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

Sec. 8. The following contract claim, payment for which shall be otherwise appropriated, requires the approval of the Legislature:

\$5,500,000.00 for Contract Claim Number 2019-19267 and Lancaster County Claim CI 19-676, against the State of Nebraska, pay to WIPRO, LLC, 76P and 80P, Doddakanneli, Sarjapur Road, Bangalore, Karnataka 560035, Republic of India.

Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.