

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 534

FINAL READING

Introduced by Kauth, 31.

Read first time January 22, 2025

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 state settlements, which have been settled by the Attorney
5 General in the district court and which require the approval of the
6 Legislature for payment.

7 \$348,654.28 for Miscellaneous Claim Number 2025-00685, against the
8 State of Nebraska, pay to Nebraska Press Advertising Service, 845 S
9 Street, Lincoln, NE 68508-1266, out of the General Fund.

10 \$280,932.50 for Line of Duty Claim Number 2025-00607, against the
11 State of Nebraska, for Ross Bartlett who died in the Line of Duty, pay to
12 Tina Bartlett, 217 South 2nd Street, Ceresco, NE 68017, out of the
13 General Fund.

14 \$134,046.00 for Miscellaneous Claim Number 2025-00486, pay to
15 Follett Corporation & its Subsidiaries, 3 Westbrook Corporate Center,
16 Westchester, IL 60154, out of the General Fund.

17 \$250,000.00 for Line of Duty Claim Number 2024-00109, against the
18 State of Nebraska, for Christopher Marcello who died in the Line of Duty,
19 pay to Tamrae Marcello, in both her individual capacity and her capacity
20 as parent, guardian, and next friend of V.E.M., M.M., O.M., and V.M.M.,
21 2213 Riverview Drive, Grand Island, NE 68801, out of the General Fund.

22 \$182,058.97 for Miscellaneous Claim Number 2024-00040, against the
23 State of Nebraska, pay to Johnson County, PO Box 416, Tecumseh, NE 68450,
24 out of the General Fund.

25 The claims included in this section shall be paid through Program
26 536 in Agency 65.

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

29	<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
30	<u>GENERAL FUND</u>	<u>\$1,195,691.75</u>
31	<u>CASH FUND</u>	<u>\$-0-</u>

1	<u>REVOLVING FUND</u>	<u>\$-0-</u>
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2	<u>TOTAL</u>	<u>\$1,195,691.75</u>
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3 **Sec. 2.** The following sums of money, or so much thereof as may be
4 required, are hereby appropriated from the General Fund or from other
5 funds as indicated in the state treasury, not otherwise appropriated, for
6 the payment of indemnification claims which have been settled by the
7 State Claims Board and approved by the district court, which have been
8 settled by the Attorney General in the district court, or in which a
9 court judgment has been entered and which require the approval of the
10 Legislature for payment.

11 \$395,000.00 for Indemnification Claim Number 8:23-CV-485, pay to the
12 Trust Account of Dornan, Howard, Breitreutz, Dahlquist & Klein PC LLO,
13 on behalf of the Estate of Kevin C. Carter, 1403 Farnam Street, Suite
14 232, Omaha, NE 68102, out of the General Fund.

15 \$85,000.00 for Indemnification Claim Number CI 23-1587, pay to the
16 Trust Account of Keating, O'Gara, Nedved & Peter, PC, LLO, on behalf of
17 Amy Eidenmiller, 200 South 21st Street, Suite 400, Lincoln, NE 68510, out
18 of the General Fund.

19 \$162,500.00 for Indemnification Claim Number 7:22-CV-5002, pay to
20 the Trust Account of Ramos Law, on behalf of Rachel Ritke, 10190 Bannock
21 Street, Suite 200, Northglenn, CO 80260, out of the General Fund.

22 \$185,000.00 for Indemnification Claim Number CI 22-2662, pay to the
23 Trust Account of Fiedler Law Office, on behalf of Gerald Krolikowski,
24 17330 Wright Street, Suite 102, Omaha, NE 68130, out of the General Fund.

25 The claims included in this section shall be paid through Program
26 592 in Agency 65.

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

29	FUND SOURCE	DOLLAR AMOUNT
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30	GENERAL FUND	\$827,500.00
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31	CASH FUND	\$-0-
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1 REVOLVING FUND \$-0-

2 TOTAL \$827,500.00

3 **Sec. 3.** The following sums of money, or so much thereof as may be

4 required, are hereby appropriated from the General Fund or from other

5 funds as indicated in the state treasury, not otherwise appropriated, for

6 the payment of workers' compensation claims which have been settled by

7 the Attorney General in the Nebraska Workers' Compensation Court or in

8 which court judgments have been entered and which require the approval of

9 the Legislature for payment.

10 \$275,000.00 for a workers' compensation claim, pay to the Trust

11 Account of High & Younes, LLC, on behalf of Matthew Nicholas, 6919 Dodge

12 Street, Omaha, NE 68132, out of the Workers' Compensation Claims

13 Revolving Fund.

14 \$175,000.00 for a workers' compensation claim, pay to the Trust

15 Account of Atwood Law, P.C., L.L.O., on behalf of Janice Myers, 575

16 Fallbrook Boulevard, Suite 206, Lincoln, NE 68521, out of the Workers'

17 Compensation Claims Revolving Fund.

18 \$215,000.00 for a workers' compensation claim, pay to the Trust

19 Account of Atwood Law, P.C., L.L.O., on behalf of Jessica Bock, 575

20 Fallbrook Boulevard, Suite 206, Lincoln, NE 68521, out of the Workers'

21 Compensation Claims Revolving Fund.

22 \$25,000.00 for a workers' compensation claim, pay to the Trust

23 Account of Dyer Law, P.C., L.L.O., on behalf of Reginald Borzekofski,

24 2611 South 117th Street, Omaha, NE 68144, out of the Workers'

25 Compensation Claims Revolving Fund.

26 \$70,000.00 for a workers' compensation claim, pay to the Trust

27 Account of Dyer Law, P.C., L.L.O., on behalf of Zachary Coulombe, 2611

28 South 117th Street, Omaha, NE 68144, out of the Workers' Compensation

29 Claims Revolving Fund.

30 \$50,000.00 for a workers' compensation claim, pay to the Trust

31 Account of Handley Law, PC, LLO, on behalf of Jeffrey Pelowski, 1141 H

1 Street, Lincoln, NE 68508, out of the Workers' Compensation Claims
2 Revolving Fund.

3 \$150,000.00 for a workers' compensation claim, pay to the Trust
4 Account of Atwood Law, P.C., L.L.O., on behalf of Bobby Green Jr., 575
5 Fallbrook Boulevard, Suite 206, Lincoln, NE 68521, out of the Workers'
6 Compensation Claims Revolving Fund.

7 \$50,000.00 for a workers' compensation claim, pay to the Trust
8 Account of Tabor Law, PC LLO, on behalf of Jeanann Duke (formerly known
9 as Jeanann Jelinek), 11932 Arbor Street, Suite 101, Omaha, NE 68144, out
10 of the Workers' Compensation Claims Revolving Fund.

11 \$250,000.00 for a workers' compensation claim, pay to the Trust
12 Account of Law Offices of Jeffrey F. Putnam, P.C., on behalf of Maureen
13 Scanlon, 6790 Grover Street, Suite 100, Omaha, NE 68106, out of the
14 Workers' Compensation Claims Revolving Fund.

15 The claims included in this section shall be paid through Program
16 593 in Agency 65.

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

19 <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>\$1,260,000.00</u>
23 <u>TOTAL</u>	<u>\$1,260,000.00</u>

24 **Sec. 4.** The following sums of money, or so much thereof as may be
25 required, are hereby appropriated from the General Fund or from other
26 funds as indicated in the state treasury, not otherwise appropriated, for
27 the payment of tort claims which have been settled by the State Claims
28 Board and approved by the district court, which have been settled by the
29 Attorney General in the district court, or in which a court judgment has
30 been entered and which require the approval of the Legislature for
31 payment.

1 \$10,894.24 for Claim Number 2025-00553, against the State of
2 Nebraska, pay to Progressive Universal Insurance Company, PO Box 94639,
3 Cleveland, OH 44101, out of the State Insurance Fund.

4 \$26,500.00 for Claim Number 2024-00213, against the State of
5 Nebraska, pay to the Trust Account of Berry Law Firm, 6940 O Street,
6 Suite 400, Lincoln, NE 68510, out of the State Insurance Fund.

7 \$49,826.83 for Claim Number 2023-22836, against the State of
8 Nebraska, pay to the Trust Account of Ekeh Law Office, L.L.C., 1412
9 Harney Street, Omaha, NE 68102, out of the State Insurance Fund.

10 \$16,250.00 for Claim Number 2023-22634, against the State of
11 Nebraska, pay to the Trust Account of Hauptman, O'Brien, Wolf & Lathrop,
12 PC, 1005 South 107th Avenue, Suite 200, Omaha, NE 68114, out of the State
13 Insurance Fund.

14 \$17,983.05 for Claim Number 2023-22442, against the State of
15 Nebraska, pay to Traveler's Insurance Company, PO Box 660307, Dallas, TX
16 75266-0307, out of the State Insurance Fund.

17 \$950,000.00 for Claim Number 2023-22854, against the State of
18 Nebraska, pay to the Trust Account of Rembolt Ludtke, LLP, 3 Landmark
19 Centre, 1128 Lincoln Mall, Suite 300, Lincoln, NE 68508, out of the State
20 Insurance Fund.

21 \$375,000.00 for Claim Number 2021-21220, against the State of
22 Nebraska, pay to the Trust Account of Friedman Law Offices, PC, LLO, 3800
23 Normal Boulevard, Suite 200, PO Box 82009, Lincoln, NE 68501, out of the
24 State Insurance Fund.

25 The claims included in this section shall be paid through Program
26 594 in Agency 65.

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

29 <u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
30 <u>GENERAL FUND</u>	<u>\$-0-</u>
31 <u>CASH FUND</u>	<u>\$-0-</u>

1	<u>REVOLVING FUND</u>	<u>\$1,446,454.12</u>
2	<u>TOTAL</u>	<u>\$1,446,454.12</u>

3 **Sec. 5.** The Director of Administrative Services is hereby
4 authorized and directed to draw his or her warrants upon the funds in the
5 state treasury enumerated in this act, in favor of the several
6 beneficiaries named in this act for the amount set opposite their
7 respective names, upon the presentation of proper vouchers therefor. The
8 several amounts appropriated in this act shall be in full payment of any
9 and all claims, rights, causes of action, damages, and demands of every
10 character and kind owing by or against the State of Nebraska, its
11 officers, agents, and employees, and their successors and assigns with
12 respect to each of the beneficiaries respectively in whose favor the
13 appropriations are made. The director shall not deliver any warrant for
14 any items appropriated in this act until a receipt and release in full,
15 releasing the State of Nebraska, its officers, employees, and agents, and
16 their successors and assigns, has been filed by each of the beneficiaries
17 respectively. Upon presentation of the warrants, the State Treasurer is
18 hereby directed to pay the same out of money in the General Fund or out
19 of money in other funds indicated in this act not otherwise appropriated.

20 **Sec. 6.** The following requests were filed by state agencies seeking
21 permission to write off certain accounts. The State Claims Board reviewed
22 and approved the following requests:

23 \$14,983.58 for Request Number 2025-00572, made by the Department of
24 Veterans' Affairs.

25 \$14,296.88 for Request Number 2025-00587, made by the Department of
26 Motor Vehicles.

27 \$120,741.50 for Request Number 2025-00590, made by the Department of
28 Transportation.

29 \$90,339.82 for Request Number 2025-00592, made by the Department of
30 Labor.

31 \$49,591.34 for Request Number 2025-00593, made by the Nebraska

1 Public Employees Retirement Systems.

2 \$53,256.46 for Request Number 2025-00600, made by the Department of
3 Environment and Energy.

4 \$1,424,360.66 for Request Number 2025-00606, made by the Department
5 of Health and Human Services.

6 **Sec. 7.** Since an emergency exists, this act takes effect when
7 passed and approved according to law.