

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 282**

FINAL READING

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; to approve a contract claim; and to declare an  
5 emergency.

6 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, Nebraska 68508-1266, out of the General Fund.

21           \$250,000.00 for Line of Duty Claim Number 2023-22452, against the  
22 State of Nebraska, for Michael Moody who died in the Line of Duty, pay to  
23 Cheryl Moody, 84459 Purdum Avenue, Purdum, Nebraska 69157, out of the  
24 General Fund.

25           \$250,000.00 for Line of Duty Claim Number 2023-22455, against the  
26 State of Nebraska, for John Trumble who died in the Line of Duty, pay to  
27 Staci Trumble, Kyle Trumble, Mike Trumble, and Jodi Cobb, 416 West 11th  
28 Avenue, Holdrege, Nebraska 68949, out of the General Fund.

29           The claims included in this section shall be paid through Program  
30 536 in Agency 65.

31           For informational purposes only, the appropriations contained in

1 this section and fund source:

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

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

15       \$45,000.00 for Claim Number 2019-18570, against the State of  
16 Nebraska, pay to Dornan, Troia, Howard, Breikreutz & Conway, P.C.,  
17 L.L.O., 1403 Farnam Street, Suite 232, Omaha, Nebraska 68102, on behalf  
18 of Jason Galle, out of the General Fund.

19       The claim included in this section shall be paid through Program 591  
20 in Agency 65.

21       For informational purposes only, the appropriation contained in this  
22 section and fund source:

23 <u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
24 <u>GENERAL FUND</u>	<u>\$45,000.00</u>
25 <u>CASH FUND</u>	<u>\$-0-</u>
26 <u>REVOLVING FUND</u>	<u>\$-0-</u>
27 <u>TOTAL</u>	<u>\$45,000.00</u>

28       Sec. 3. The following sums of money, or so much thereof as may be  
29 required, are hereby appropriated from the General Fund or from other  
30 funds as indicated in the state treasury, not otherwise appropriated, for  
31 the payment of indemnification claims which have been settled by the

1 State Claims Board and approved by the district court, which have been  
2 settled by the Attorney General in the district court, or in which court  
3 judgments have been entered and which require the approval of the  
4 Legislature for payment.

5 \$49,500 for Indemnification Claim Number CI 21-3850, against the  
6 State of Nebraska, pay to Shiffermiller Law Trust Account on behalf of  
7 Adam J. Koenig, Shiffermiller Law Office, P.C., L.L.O., 1002 G Street,  
8 Lincoln, Nebraska 68508, out of the General Fund.

9 \$18,750,000.00 for Indemnification Claims 4:11-CV-3229, CI 13-1607,  
10 CI 13-1608, CI 13-1609, CI 13-1611, CI 13-1612, CI 13-1616, and CI  
11 13-1617, against the State of Nebraska, from which amount the State of  
12 Nebraska shall make state and federal withholdings pursuant to the  
13 settlement agreement, then pay the remainder to the Keating, O'Gara,  
14 Nedved and Peter, PC, LLO Trust Account, 200 S. 21st Street, Suite 400,  
15 Lincoln, Nebraska 68510, out of the State Self-Insured Indemnification  
16 Fund.

17 The claims included in this section shall be paid through Program  
18 592 in Agency 65.

19 For informational purposes only, the appropriations contained in  
20 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>

26 Sec. 4. The following sums of money, or so much thereof as may be  
27 required, are hereby appropriated from the General Fund or from other  
28 funds as indicated in the state treasury, not otherwise appropriated, for  
29 the payment of workers' compensation claims which have been settled by  
30 the Attorney General in the Nebraska Workers' Compensation Court or in  
31 which court judgments have been entered and which require the approval of

1 the Legislature for payment.

2 \$25,000.00 for a workers' compensation claim, pay to Harris Law  
3 Offices, P.C., 3400 O Street, P.O. Box 30886, Lincoln, Nebraska  
4 68503-0886, on behalf of Stacie Brown, out of the Workers' Compensation  
5 Claims Revolving Fund.

6 \$25,000.00 for a workers' compensation claim, pay to High and  
7 Younes, LLC, 6919 Dodge Street, Omaha, Nebraska 68132, on behalf of  
8 Richard Rulla, out of the Workers' Compensation Claims Revolving Fund.

9 The claims included in this section shall be paid through Program  
10 593 in Agency 65.

11 For informational purposes only, the appropriations contained in  
12 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>

18 Sec. 5. The following sums of money, or so much thereof as may be  
19 required, are hereby appropriated from the General Fund or from other  
20 funds as indicated in the state treasury, not otherwise appropriated, for  
21 the payment of state insurance claims which have been settled by the  
22 State Claims Board and approved by the district court, which have been  
23 settled by the Attorney General in the district court, or in which court  
24 judgments have been entered and which require the approval of the  
25 Legislature for payment.

26 \$152,500.00 for Claim Number 2019-18631, against the State of  
27 Nebraska, pay to Reed Law Offices, P.C., L.L.O., 3032 S. 87th Street,  
28 Omaha, Nebraska 68124, on behalf of Jeannet Anderson, out of the State  
29 Insurance Fund.

30 \$100,000.00 for Claim Number 2019-18641, against the State of  
31 Nebraska, pay to Rod Rehm, 3701 Union Drive, Suite 200, P.O. Box 22067,

1 Lincoln, Nebraska 68542-2067, on behalf of Elizabeth Champion, out of the  
2 State Insurance Fund.

3 \$150,000.00 for Claim Number 2019-19477, against the State of  
4 Nebraska, pay to Steffens Law Trust Account, Steffens Law Office, P.C.,  
5 255 S. 10th Avenue, P.O. Box 363, Broken Bow, Nebraska 68822, on behalf  
6 of Rachael Rufenacht, out of the State Insurance Fund.

7 The claims included in this section shall be paid through Program  
8 594 in Agency 65.

9 For informational purposes only, the appropriations contained in  
10 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>\$402,500.00</u>
<u>TOTAL</u>	<u>\$402,500.00</u>

16 Sec. 6. The Director of Administrative Services is hereby  
17 authorized and directed to draw his or her warrants upon the funds in the  
18 state treasury enumerated in this act, in favor of the several  
19 beneficiaries named in this act for the amount set opposite their  
20 respective names, upon the presentation of proper vouchers therefor. The  
21 several amounts appropriated in this act shall be in full payment of any  
22 and all claims, rights, causes of action, damages, and demands of every  
23 character and kind owing by or against the State of Nebraska, its  
24 officers, agents, and employees, and their successors and assigns with  
25 respect to each of the beneficiaries respectively in whose favor the  
26 appropriations are made. The director shall not deliver any warrant for  
27 any items appropriated in this act until a receipt and release in full,  
28 releasing the State of Nebraska, its officers, employees, and agents, and  
29 their successors and assigns, has been filed by each of the beneficiaries  
30 respectively. Upon presentation of the warrants, the State Treasurer is  
31 hereby directed to pay the same out of money in the General Fund or out

1 of money in other funds indicated in this act not otherwise appropriated.

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

5 \$4,175.00 for Request Number 2023-22240, made by the Nebraska  
6 Accountability and Disclosure Commission.

7 \$33.63 for Request Number 2023-22244, made by the Legislative  
8 Council.

9 \$193,971.08 for Request Number 2023-22245, made by the Department of  
10 Transportation.

11 \$14,398.30 for Request Number 2023-22246, made by the Department of  
12 Revenue.

13 \$600.00 for Request Number 2023-22255, made by the State Treasurer.

14 \$16,616.81 for Request Number 2023-22256, made by the State  
15 Treasurer.

16 \$2,142.25 for Request Number 2023-22260, made by the Game and Parks  
17 Commission.

18 \$35,869.83 for Request Number 2023-22261, made by the Department of  
19 Labor.

20 \$660,654.08 for Request Number 2023-22262, made by the Department of  
21 Labor.

22 \$6,289.00 for Request Number 2023-22263, made by the State Fire  
23 Marshal.

24 \$7,240.03 for Request Number 2023-22264, made by the Department of  
25 Veterans' Affairs.

26 \$12,844.70 for Request Number 2023-22266, made by the Nebraska  
27 Public Employees Retirement Systems.

28 \$875,459.89 for Request Number 2023-22267, made by the Department of  
29 Health and Human Services.

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

1           \$5,500,000.00 for Contract Claim Number 2019-19267 and Lancaster  
2 County Claim CI 19-676, against the State of Nebraska, pay to WIPRO, LLC,  
3 76P and 80P, Doddakanneli, Sarjapur Road, Bangalore, Karnataka 560035,  
4 Republic of India.

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