

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1133

FINAL READING
(SECOND)

Introduced by Kauth, 31.

Read first time January 20, 2026

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 sum of money, or so much thereof as may be
2 required, is 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 \$51,791.88 for Miscellaneous Claim Number 2025-01061, pay to Rodney
8 Gerald Hoelscher, 1860 Road 43, Linwood, NE 68036, out of the General
9 Fund.

10 \$289,360.48 for Line of Duty Claim Number 2026-01453, against the
11 State of Nebraska, for Kyle McAcy who died in the Line of Duty, pay to
12 Kevin and Teresa McAcy, 1224 South 167th Street, Omaha, NE 68130, out of
13 the General Fund.

14 The claims included in this section shall be paid through Program
15 536 in Agency 65.

16 For informational purposes only, the appropriation contained in this
17 section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$341,152.36</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$341,152.36</u>

23 **Sec. 2.** The following sum of money, or so much thereof as may be
24 required, is hereby appropriated from the General Fund or from other
25 funds as indicated in the state treasury, not otherwise appropriated, for
26 the payment of indemnification claims which have been settled by the
27 State Claims Board and approved by the district court, which have been
28 settled by the Attorney General in the district court, or in which a
29 court judgment has been entered and which require the approval of the
30 Legislature for payment.

31 \$354,456.23 for Indemnification Claim Numbers CI 24-3163 and CI

1 24-4457, pay to the Trust Account of Fiedler Law Firm, P.L.C., on behalf
2 of Kurt Von Minden, 17330 Wright Street, Suite 102, Omaha, NE 68130, out
3 of the General Fund.

4 The claim included in this section shall be paid through Program 592
5 in Agency 65.

6 For informational purposes only, the appropriation contained in this
7 section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$354,456.23</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$354,456.23</u>

13 **Sec. 3.** The following sums of money, or so much thereof as may be
14 required, are hereby appropriated from the General Fund or from other
15 funds as indicated in the state treasury, not otherwise appropriated, for
16 the payment of workers' compensation claims which have been settled by
17 the Attorney General in the Nebraska Workers' Compensation Court or in
18 which court judgments have been entered and which require the approval of
19 the Legislature for payment.

20 \$400,000.00 for a workers' compensation claim, pay to the Trust
21 Account of High & Younes, LLC, on behalf of Greg Mosley, 6919 Dodge
22 Street, Omaha, NE 68132, out of the Workers' Compensation Claims
23 Revolving Fund.

24 \$162,500.00 for a workers' compensation claim, pay to the Trust
25 Account of Atwood Law, P.C., L.L.O., on behalf of Stewart Craig, 575
26 Fallbrook Boulevard, Suite 206, Lincoln, NE 68521, out of the Workers'
27 Compensation Claims Revolving Fund.

28 \$20,000.00 for a workers' compensation claim, pay to the Trust
29 Account of Handley Law, PC, LLO, on behalf of Kenneth Cobb, 1141 H
30 Street, Lincoln, NE 68508, out of the Workers' Compensation Claims
31 Revolving Fund.

1 \$300,000.00 for a workers' compensation claim, pay to the Trust
2 Account of Keating, O'Gara, Nedved & Peter, PC, LLO, on behalf of Todd
3 Rasmussen, PO Box 82248, Lincoln, NE 68501-2248, out of the Workers'
4 Compensation Claims Revolving Fund.

5 \$110,000.00 for a workers' compensation claim, pay to the Trust
6 Account of Keating, O'Gara, Nedved & Peter, PC, LLO, on behalf of Anthony
7 O. Dix, Jr., PO Box 82248, Lincoln, NE 68501-2248, out of the Workers'
8 Compensation Claims Revolving Fund.

9 \$125,000.00 for a workers' compensation claim, pay to the Trust
10 Account of Friedman Law Offices, PC, LLO, on behalf of Tina Vaughn, PO
11 Box 82009, Lincoln, NE 68501, out of the Workers' Compensation Claims
12 Revolving Fund.

13 \$50,000.00 for a workers' compensation claim, pay to the Trust
14 Account of Gallner & Pattermann, P.C., on behalf of Tiffany Colvin (now
15 known as Tiffany Mills), 300 West Broadway, Suite 145, Council Bluffs, IA
16 51503, out of the Workers' Compensation Claims Revolving Fund.

17 The claims included in this section shall be paid through Program
18 593 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>\$-0-</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$1,167,500.00</u>
<u>TOTAL</u>	<u>\$1,167,500.00</u>

26 Sec. 4. The Director of Administrative Services is hereby
27 authorized and directed to draw his or her warrants upon the funds in the
28 state treasury enumerated in this act, in favor of the several
29 beneficiaries named in this act for the amount set opposite their
30 respective names, upon the presentation of proper vouchers therefor. The
31 several amounts appropriated in this act shall be in full payment of any

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

12 **Sec. 5.** The following requests were filed by state agencies seeking
13 permission to write off certain accounts. The State Claims Board reviewed
14 and approved the following requests:

15 \$856.00 for Request Number 2026-01512, made by the State Fire
16 Marshal.

17 \$1,032,144.79 for Request Number 2026-01520, made by the Department
18 of Health and Human Services.

19 \$98,759.21 for Request Number 2026-01521, made by the Department of
20 Transportation.

21 \$1,708,343.43 for Request Number 2026-01524, made by the Department
22 of Labor.

23 \$2,647.70 for Request Number 2026-01526, made by the Department of
24 Veterans' Affairs.

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