

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 464

Introduced by Hansen, M., 26.

Read first time January 18, 2019

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 \$61,179.11 for Miscellaneous Claim Number 16-3306, against the State
7 of Nebraska, pay to Lyle Hunter and Abby Osborn, Shiffermiller Law
8 Office, P.C., L.L.O., Attn: Abby Osborn, 1002 G Street, Lincoln, NE
9 68508, out of the General Fund.

10 \$72,133.49 for Miscellaneous Claim Number 2019-18902, against the
11 State of Nebraska, pay to Nebraska Press Advertising Service, 845 "S"
12 Street, Lincoln, NE 68508-1266, out of the General Fund.

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

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$133,312.60</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$133,312.60</u>

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

30 \$35,000.00 for Tort Claim Number 2016-15465, against the State of
31 Nebraska, pay to Donald Johnson and Mark D. Kratina, Mark D. Kratina,

1 P.C., 300 Jackson Place, 514 South 13th Street, Omaha, NE 68102-2837, out
2 of the General Fund.

3 The claim included in this section shall be paid through Program 591
4 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
8 <u>GENERAL FUND</u>	\$35,000.00
9 <u>CASH FUND</u>	\$-0-
10 <u>REVOLVING FUND</u>	\$-0-
11 <u>TOTAL</u>	\$35,000.00

12 Sec. 3. The following sum of money, or so much thereof as may be
13 required, is hereby appropriated from the General Fund or from other
14 funds as indicated in the state treasury, not otherwise appropriated, for
15 the payment of an indemnification claim which has been settled by the
16 State Claims Board and approved by the district court, which has been
17 settled by the Attorney General in the district court, or in which a
18 court judgment has been entered and which requires the approval of the
19 Legislature for payment.

20 \$65,000.00 for Indemnification Claim Number 8:15-CV-00424, against
21 the State of Nebraska, pay to Aron Lee Boyd-Nicholson and Quinn R. Eaton,
22 Husch Blackwell, L.L.P., Attn: Quinn R. Eaton, 13330 California Street,
23 Suite 200, Omaha, NE 68154, out of the General Fund.

24 The claim included in this section shall be paid through Program 592
25 in Agency 65.

26 For informational purposes only, the appropriation contained in this
27 section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
29 <u>GENERAL FUND</u>	\$65,000.00
30 <u>CASH FUND</u>	\$-0-
31 <u>REVOLVING FUND</u>	\$-0-

1 TOTAL \$65,000.00

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

9 \$100,000.00 for a workers' compensation claim, pay to Jeffrey Forsen
10 and Jay Elliott, Elliott Law Office, P.O. Box 1227, North Platte, NE
11 69103, out of the Workers' Compensation Claims Revolving Fund.

12 \$25,000.00 for a workers' compensation claim, pay to Kim Lowe and
13 Sara A. Lamme, Erickson Sederstrom P.C., L.L.O., 10330 Regency Parkway
14 Drive, Suite 100, Omaha, NE 68114-3761, out of the Workers' Compensation
15 Claims Revolving Fund.

16 \$149,000.00 for a workers' compensation claim, pay to Jeffrey Evans
17 and Rod Rehm, Rehm Bennett Moore Rehm and Ockander, P.C., L.L.O., 3701
18 Union Drive, Suite 200, Lincoln, NE 68516, out of the Workers'
19 Compensation Claims Revolving Fund.

20 \$175,000.00 for a workers' compensation claim, pay to Jessica Lang
21 and Rod Rehm, Rehm Bennett Moore Rehm and Ockander, P.C., L.L.O., 3701
22 Union Drive, Suite 200, Lincoln, NE 68516, out of the Workers'
23 Compensation Claims Revolving Fund.

24 \$12,487.00 for a workers' compensation claim, pay to John Overstreet
25 and Monte Nielan, 1721 Broadway, Suite 225, Scottsbluff, NE 69361, out of
26 the Workers' Compensation Claims Revolving Fund.

27 The claims included in this section shall be paid through Program
28 593 in Agency 65.

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

31 FUND SOURCE DOLLAR AMOUNT

1	<u>GENERAL FUND</u>	<u>\$-0-</u>
2	<u>CASH FUND</u>	<u>\$-0-</u>
3	<u>REVOLVING FUND</u>	<u>\$461,487.00</u>
4	<u>TOTAL</u>	<u>\$461,487.00</u>

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

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

25 \$119,318.25 for Request Number 2019-18857, made by the Department of
26 Veterans' Affairs.

27 \$140,183.33 for Request Number 2019-18873, made by the Department of
28 Transportation.

29 \$7,731.36 for Request Number 2019-18876, made by the Game and Parks
30 Commission.

31 \$831,376.21 for Request Number 2019-18877, made by the Department of

1 Health and Human Services.

2 \$157.25 for Request Number 2019-18878, made by the Supreme Court.

3 \$4,980,784.21 for Request Number 2019-18881, made by the Department
4 of Labor.

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