

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1083

FINAL READING

Introduced by Business and Labor Committee: Hansen, B., 16, Chairperson;
Blood, 3; Gragert, 40; Halloran, 33; Hansen, M., 26; Hunt,
8; Lathrop, 12.

Read first time January 18, 2022

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 indemnification claims which have been settled by the
5 State Claims Board and approved by the district court, which have been
6 settled by the Attorney General in the district court, or in which court
7 judgments have been entered and which require the approval of the
8 Legislature for payment.

9 \$45,000.00 for Indemnification Claim Number CI 19-79, against the
10 State of Nebraska, pay to Shiffermiller Law Trust Account on behalf of
11 Sheri Brown, Shiffermiller Law Office, P.C., L.L.O., 1002 G Street,
12 Lincoln, Nebraska 68508, out of the General Fund.

13 \$429,000.00 for Indemnification Case Number 8:18CV551, against the
14 State of Nebraska, pay to Dornan Law Trust Account on behalf of Telena
15 Moser, Dornan, Troia, Howard, Breitreutz, Conway & Dahlquist, P.C.,
16 L.L.O., 1403 Farnam Street, Suite 232, Omaha, Nebraska 68102, out of the
17 General Fund.

18 The claims included in this section shall be paid through Program
19 592 in Agency 65.

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

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
23 <u>GENERAL FUND</u>	<u>\$474,000.00</u>
24 <u>CASH FUND</u>	<u>\$-0-</u>
25 <u>REVOLVING FUND</u>	<u>\$-0-</u>
26 <u>TOTAL</u>	<u>\$474,000.00</u>

27 Sec. 2. The following sums of money, or so much thereof as may be
28 required, are hereby appropriated from the General Fund or from other
29 funds as indicated in the state treasury, not otherwise appropriated, for
30 the payment of workers' compensation claims which have been settled by
31 the Attorney General in the Nebraska Workers' Compensation Court or in

1 which a court judgment has been entered and which require the approval of
2 the Legislature for payment.

3 \$125,000.00 for a workers' compensation claim, pay to Rick Haave,
4 Dowding, Dowding, Dowding and Urbom, 201 N. 8th Street, Suite 242, P.O.
5 Box 83103, Lincoln, Nebraska 68501, out of the Workers' Compensation
6 Claims Revolving Fund.

7 \$100,000.00 for a workers' compensation claim, pay to Kenneth Rezac
8 and Nicholas Jantzen, Jantzen Law Office, PC LLO, 301 S. 70th Street,
9 Suite 150, Lincoln, Nebraska 68510, out of the Workers' Compensation
10 Claims Revolving Fund.

11 \$150,000.00 for a workers' compensation claim, pay to the following
12 Michael Krafka and Shasteen, Morris, and Ockander, P.C., L.L.O., 7441 O
13 Street, Suite 105, Lincoln, Nebraska 68510, out of the Workers'
14 Compensation Claims Revolving Fund.

15 \$50,000.00 for a workers' compensation claim, pay to Billy Maxwell
16 and Travis Spier, Atwood, Holsten, Brown, Deaver, Spier and Israel Law
17 Firm, P.C., L.L.O., 575 Fallbrook Boulevard, Suite 206, Lincoln, Nebraska
18 68521, out of the Workers' Compensation Claims Revolving Fund.

19 The claims included in this section shall be paid through Program
20 593 in Agency 65. For informational purposes only, the appropriations
21 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>\$425,000.00</u>
<u>TOTAL</u>	<u>\$425,000.00</u>

27 Sec. 3. The Director of Administrative Services is hereby
28 authorized and directed to draw his or her warrants upon the funds in the
29 state treasury enumerated in this act, in favor of the several
30 beneficiaries named in this act for the amount set opposite their
31 respective names, upon the presentation of proper vouchers therefor. The

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

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

16 \$5,742.90 for Request Number 2022-21453, made by the Board of
17 Educational Lands and Funds.

18 \$1,404.00 for Request Number 2022-21458, made by the Game and Parks
19 Commission.

20 \$37,871.93 for Request Number 2022-21459, made by the State
21 Treasurer.

22 \$327,563.65 for Request Number 2022-21460, made by the Department of
23 Transportation.

24 \$660.00 for Request Number 2022-21461, made by the State Fire
25 Marshal.

26 \$3,572.34 for Request Number 2022-21462, made by the Nebraska Public
27 Employees Retirement Systems.

28 \$5,801,042.07 for Request Number 2022-21463, made by the Department
29 of Labor.

30 \$177,211.53 for Request Number 2022-21464, made by the Department of
31 Labor.

1 \$230,330.00 for Request Number 2022-21465, made by the Department of
2 Labor.

3 \$2,573,279.27 for Request Number 2022-21469, made by the Department
4 of Health and Human Services.

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