

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 950

Introduced by Albrecht, 17.

Read first time January 10, 2018

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

9 \$800,000.00 for Tort Claim Number 2014-13451, against the State of
 10 Nebraska, pay to Gary Lee c/o Jennifer Turco Meyer, Dyer Law, P.C.,
 11 L.L.O., Attn: Jennifer Turco Meyer, 10730 Pacific Street, Suite 111,
 12 Omaha, NE 68114, out of the Roads Operations Cash Fund.

13 \$350,000.00 for Tort Claim Number 2014-13452, against the State of
 14 Nebraska, pay to Deborah Lee c/o Jennifer Turco Meyer, Dyer Law, P.C.,
 15 L.L.O., Attn: Jennifer Turco Meyer, 10730 Pacific Street, Suite 111,
 16 Omaha, NE 68114, out of the Roads Operations Cash Fund.

17 The claims included in this section shall be paid through Program
 18 591 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>\$1,150,000.00</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$1,150,000.00</u>

26 Sec. 2. The following sum of money, or so much thereof as may be
 27 required, is 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 an indemnification claim which has been settled by the
 30 State Claims Board and approved by the district court, which has been
 31 settled by the Attorney General in the district court, or in which a

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

3 \$197,330.63 for Claim Number 2018-17778, against the State of
4 Nebraska, pay to ACLU of Nebraska Foundation, Inc., 134 South 13th
5 Street, Suite 1010, Lincoln, NE 68508, out of the General Fund.

6 The claim included in this section shall be paid through Program 592
7 in Agency 65.

8 For informational purposes only, the appropriation contained in this
9 section and fund source:

<u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
<u>GENERAL FUND</u>	<u>\$197,330.63</u>
<u>CASH FUND</u>	<u>\$-0-</u>
<u>REVOLVING FUND</u>	<u>\$-0-</u>
<u>TOTAL</u>	<u>\$197,330.63</u>

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

22 \$100,000.00 for a workers' compensation claim, pay to Judith
23 Williams and Jon Rehm, Rehm, Bennett, Moore, Rehm and Ockander, P.C.,
24 L.L.O., 3701 Union Drive, Suite 200, Lincoln, NE 68516, out of the
25 Workers' Compensation Claims Revolving Fund.

26 \$106,250.00 for a workers' compensation claim, pay to Annette
27 Halsey, Chaloupka, Holyoke, Snyder, Chaloupka and Longoria, P.C., L.L.O.,
28 1714 Second Avenue, P.O. Box 2424, Scottsbluff, NE 69363-2424, out of the
29 Workers' Compensation Claims Revolving Fund.

30 \$100,000.00 for a workers' compensation claim, pay to Terry
31 Armstrong and Ausman Law Firm, P.C., L.L.O., Ausman Law Firm, P.C.,

1 L.L.O., 9850 Nicholas Street, Suite 305, Omaha, NE 68114, out of the
2 Workers' Compensation Claims Revolving Fund.

3 The claims included in this section shall be paid through Program
4 593 in Agency 65.

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

7 <u>FUND SOURCE</u>	<u>DOLLAR AMOUNT</u>
8 <u>GENERAL FUND</u>	<u>\$-0-</u>
9 <u>CASH FUND</u>	<u>\$-0-</u>
10 <u>REVOLVING FUND</u>	<u>\$306,250.00</u>
11 <u>TOTAL</u>	<u>\$306,250.00</u>

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

29 Sec. 5. The following requests were filed by state agencies seeking
30 permission to write off certain accounts. The State Claims Board reviewed
31 and approved the following requests:

1 \$5,800.00 for Request Number 2018-17640, made by the Nebraska
2 Accountability and Disclosure Commission.

3 \$214.70 for Request Number 2018-17660, made by the Supreme Court.

4 \$22,091.91 for Request Number 2018-17705, made by the Nebraska
5 Public Employees Retirement Systems.

6 \$630.00 for Request Number 2018-17716, made by the State Fire
7 Marshal.

8 \$14,643.40 for Request Number 2018-17719, made by the Game and Parks
9 Commission.

10 \$19,291.14, for Request Number 2018-17726, made by the Department of
11 Revenue.

12 \$723,678.25 for Request Number 2018-17730, made by the Department of
13 Health and Human Services.

14 \$1,175.00 for Request Number 2018-17733, made by the Secretary of
15 State.

16 \$1,571.06 for Request Number 2018-17744, made by the Department of
17 Correctional Services.

18 \$188,902.22 for Request Number 2018-17746, made by the Department of
19 Transportation.

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