

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 329

Introduced by Speaker Scheer, 19; at the request of the Governor.

Read first time January 12, 2017

Committee:

- 1 A BILL FOR AN ACT relating to appropriations; to appropriate funds for
- 2 the payment of the salaries and benefits of certain state officers
- 3 for FY2017-18 and FY2018-19; to define terms; to provide an
- 4 operative date; and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. APPROPRIATION LANGUAGE.

2 There are hereby appropriated, for FY2017-18 and FY2018-19, the
3 amounts specified in this act, or so much as may be necessary, for the
4 salaries and benefits of officers of the Nebraska state government.

5 Sec. 2. DEFINITION OF APPROPRIATION PERIOD.

6 For purposes of this act, FY2016-17 means the period beginning July
7 1, 2016, and ending June 30, 2017, FY2017-18 means the period beginning
8 July 1, 2017, and ending June 30, 2018, and FY2018-19 means the period
9 beginning July 1, 2018, and ending June 30, 2019.

10 Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

11 The definitions contained in the Nebraska Accounting System Manual,
12 and any amendments thereto, on file with the Clerk of the Legislature are
13 hereby adopted by the Legislature as the definitions for this act, except
14 as provided in section 21 of this act.

15 Sec. 4. DRAWING AND PAYING WARRANTS.

16 The Director of Administrative Services shall draw warrants upon the
17 proper fund in the state treasury for an amount not to exceed the
18 appropriations set forth in this act upon presentation of proper
19 documentation. The State Treasurer shall pay the warrants out of the
20 appropriate funds.

21 Workers' compensation premium assessments shall not be paid from the
22 programs listed in this act.

23 Sec. 5. AGENCY NO. 5 – SUPREME COURT

24 Program No. 3 - Supreme Court Judges' Salaries

25		FY2017-18	FY2018-19
26	GENERAL FUND	1,420,538	1,424,577
27	PROGRAM TOTAL	1,420,538	1,424,577
28	SALARY LIMIT	1,203,823	1,203,823

29 Sec. 6. AGENCY NO. 5 – SUPREME COURT

30 Program No. 4 - Court of Appeals Judges' Salaries

31		FY2017-18	FY2018-19
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1	GENERAL FUND	1,171,535	1,175,741
2	PROGRAM TOTAL	1,171,535	1,175,741
3	SALARY LIMIT	980,257	980,257

4 Sec. 7. AGENCY NO. 5 – SUPREME COURT

5 Program No. 5 - Retired Judges' Salaries

6		FY2017-18	FY2018-19
7	GENERAL FUND	72,436	72,436
8	PROGRAM TOTAL	72,436	72,436
9	SALARY LIMIT	69,832	69,832

10 The unexpended General Fund appropriation balance existing on June
11 30, 2017, is hereby reappropriated.

12 The unexpended General Fund appropriation balance existing on June
13 30, 2018, is hereby reappropriated.

14 The budget division of the Department of Administrative Services
15 shall administratively transfer General Fund appropriations or Salary
16 Limits or both among Programs 3, 4, 5, 6, and 7 within Agency 5, upon
17 written certification by the State Court Administrator that the Nebraska
18 Supreme Court has determined that such transfer is necessary for the
19 efficient functioning of statewide court operations and the proper
20 administration of justice.

21 Sec. 8. AGENCY NO. 5 – SUPREME COURT

22 Program No. 6 - District and Juvenile Court Judges' Salaries

23		FY2017-18	FY2018-19
24	GENERAL FUND	12,523,675	12,579,248
25	PROGRAM TOTAL	12,523,675	12,579,248
26	SALARY LIMIT	10,658,135	10,658,135

27 Sec. 9. AGENCY NO. 5 – SUPREME COURT

28 Program No. 7 - County Court Judges' Salaries

29		FY2017-18	FY2018-19
30	GENERAL FUND	10,607,360	10,658,869

1	PROGRAM TOTAL	10,607,360	10,658,869
2	SALARY LIMIT	8,977,082	8,977,082
3	Sec. 10. AGENCY NO. 7 – GOVERNOR		
4	Program No. 2 - Salary - Governor		
5		FY2017-18	FY2018-19
6	GENERAL FUND	147,947	149,076
7	PROGRAM TOTAL	147,947	149,076
8	SALARY LIMIT	105,000	105,000
9	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
10	Program No. 8 - Salary - Lieutenant Governor		
11		FY2017-18	FY2018-19
12	GENERAL FUND	112,506	113,635
13	PROGRAM TOTAL	112,506	113,635
14	SALARY LIMIT	75,000	75,000
15	Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
16	Program No. 9 - Salary - Secretary of State		
17		FY2017-18	FY2018-19
18	GENERAL FUND	117,789	118,800
19	PROGRAM TOTAL	117,789	118,800
20	SALARY LIMIT	85,000	85,000
21	Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
22	Program No. 10 - Salary - Auditor of Public Accounts		
23		FY2017-18	FY2018-19
24	GENERAL FUND	122,407	123,752
25	PROGRAM TOTAL	122,407	123,752
26	SALARY LIMIT	85,000	85,000
27	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
28	Program No. 11 - Attorney General's Salary		
29		FY2017-18	FY2018-19
30	GENERAL FUND	134,482	135,325

1	PROGRAM TOTAL	134,482	135,325
2	SALARY LIMIT	95,000	95,000
3	Sec. 15. AGENCY NO. 12 – STATE TREASURER		
4	Program No. 12 - Salary - State Treasurer		
5		FY2017-18	FY2018-19
6	GENERAL FUND	115,628	125,204
7	PROGRAM TOTAL	115,628	125,204
8	SALARY LIMIT	85,000	85,000
9	Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
10	Program No. 14 - Salaries of Public Service Commissioners		
11		FY2017-18	FY2018-19
12	GENERAL FUND	489,916	492,726
13	PROGRAM TOTAL	489,916	492,726
14	SALARY LIMIT	375,000	375,000
15	Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE		
16	Program No. 320 - Board of Parole Salaries		
17		FY2017-18	FY2018-19
18	GENERAL FUND	569,634	576,337
19	PROGRAM TOTAL	569,634	576,337
20	SALARY LIMIT	422,374	426,440
21	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE		
22	Program No. 13 - Salary - Tax Commissioner		
23		FY2017-18	FY2018-19
24	GENERAL FUND	210,335	213,351
25	PROGRAM TOTAL	210,335	213,351
26	SALARY LIMIT	162,686	164,302
27	It is the intent of the Legislature that if the appropriation or the		
28	salary limit is insufficient in this program to meet anticipated		
29	expenditures, the Tax Commissioner shall request an additional		
30	appropriation or a higher salary limit, or both, from the Legislature by		

1 the usual deficit process. The appropriation or the salary limit shall
2 not be administratively increased solely by the Department of
3 Administrative Services without legislative authorization.

4 Sec. 19. AGENCY NO. 37 — NEBRASKA WORKERS' COMPENSATION COURT

5 Program No. 526 - Judges' Salaries

	FY2017-18	FY2018-19
6 CASH FUND	1,309,259	1,314,992
7 PROGRAM TOTAL	1,309,259	1,314,992
8 SALARY LIMIT	1,113,543	1,113,543

10 Sec. 20. AGENCY NO. 37 — NEBRASKA WORKERS' COMPENSATION COURT

11 Program No. 635 - Retired and Acting Judges' Salaries

	FY2017-18	FY2018-19
12 CASH FUND	55,267	55,267
13 PROGRAM TOTAL	55,267	55,267
14 SALARY LIMIT	51,339	51,339

16 Sec. 21. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

17 (1) As used in this act:

18 (a) SALARY LIMIT means total expenditures for permanent and
19 temporary salaries and per diems; and

20 (b) Total expenditures for permanent and temporary salaries and per
21 diems means all remuneration paid to employees treated as taxable
22 compensation by the Internal Revenue Service or subject to social
23 security coverage, specifically including payments accounted for as
24 vacation, holidays, sick leave, military leave, funeral leave, maternity
25 leave, administrative leave, compensatory time, deferred compensation, or
26 any other similar form, and amounts withheld pursuant to law, but
27 excluding state contributions for social security, retirement, and
28 employee insurance plans.

29 (2) Total expenditures for permanent and temporary salaries and per
30 diems are limited to the amount provided by law for constitutional
31 officers.

1 (3) The limitation on expenditures for permanent and temporary
2 salaries and per diems for FY2017-18 shall be increased by certified
3 encumbrance amounts from FY2014-15 for permanent and temporary salaries
4 and per diems. The limitation on expenditures for permanent and temporary
5 salaries and per diems for FY2018-19 shall be increased by certified
6 encumbrance amounts from FY2017-18 for permanent and temporary salaries
7 and per diems. Encumbered amounts shall be calculated in accordance with
8 section 81-138.01.

9 Sec. 22. This act becomes operative on July 1, 2017.

10 Sec. 23. Since an emergency exists, this act takes effect when
11 passed and approved according to law.