

LEGISLATIVE BILL 329

Approved by the Governor May 12, 2017

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

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2017-18 and FY2018-19; to define terms; to provide an operative date; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. APPROPRIATION LANGUAGE.

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

Sec. 2. DEFINITION OF APPROPRIATION PERIOD.

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

Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

Sec. 4. DRAWING AND PAYING WARRANTS.

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

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

Sec. 5. AGENCY NO. 5 – SUPREME COURT

Program No. 3 - Supreme Court Judges' Salaries

	FY2017-18	FY2018-19
GENERAL FUND	1,424,993	1,433,742
PROGRAM TOTAL	1,424,993	1,433,742
SALARY LIMIT	1,203,823	1,203,823

Sec. 6. AGENCY NO. 5 – SUPREME COURT

Program No. 4 - Court of Appeals Judges' Salaries

	FY2017-18	FY2018-19
GENERAL FUND	1,174,969	1,182,806
PROGRAM TOTAL	1,174,969	1,182,806
SALARY LIMIT	980,257	980,257

Sec. 7. AGENCY NO. 5 – SUPREME COURT

Program No. 5 - Retired Judges' Salaries

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

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

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

The budget division of the Department of Administrative Services shall administratively transfer General Fund appropriations or Salary Limits or both among Programs 3, 4, 5, 6, 7, 52, 67, 420, 435, and 437 within Agency 5, upon written certification by the State Court Administrator that the Nebraska Supreme Court has determined that such transfer is necessary for the efficient functioning of statewide court operations and the proper administration of justice.

Sec. 8. AGENCY NO. 5 – SUPREME COURT

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

	FY2017-18	FY2018-19
GENERAL FUND	12,538,135	12,608,991
PROGRAM TOTAL	12,538,135	12,608,991
SALARY LIMIT	10,658,135	10,658,135

Sec. 9. AGENCY NO. 5 – SUPREME COURT
Program No. 7 - County Court Judges' Salaries

	FY2017-18	FY2018-19
GENERAL FUND	10,617,567	10,679,862
PROGRAM TOTAL	10,617,567	10,679,862
SALARY LIMIT	8,977,082	8,977,082

Sec. 10. AGENCY NO. 7 – GOVERNOR
Program No. 2 - Salary - Governor

	FY2017-18	FY2018-19
GENERAL FUND	146,974	148,555
PROGRAM TOTAL	146,974	148,555
SALARY LIMIT	105,000	105,000

Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR
Program No. 8 - Salary - Lieutenant Governor

	FY2017-18	FY2018-19
GENERAL FUND	112,462	114,073
PROGRAM TOTAL	112,462	114,073
SALARY LIMIT	75,000	75,000

Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE
Program No. 9 - Salary - Secretary of State

	FY2017-18	FY2018-19
GENERAL FUND	117,920	119,069
PROGRAM TOTAL	117,920	119,069
SALARY LIMIT	85,000	85,000

Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS
Program No. 10 - Salary - Auditor of Public Accounts

	FY2017-18	FY2018-19
GENERAL FUND	122,406	123,749
PROGRAM TOTAL	122,406	123,749
SALARY LIMIT	85,000	85,000

Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL
Program No. 11 - Attorney General's Salary

	FY2017-18	FY2018-19
GENERAL FUND	135,082	136,560
PROGRAM TOTAL	135,082	136,560
SALARY LIMIT	95,000	95,000

Sec. 15. AGENCY NO. 12 – STATE TREASURER
Program No. 12 - Salary - State Treasurer

	FY2017-18	FY2018-19
GENERAL FUND	125,591	127,183
PROGRAM TOTAL	125,591	127,183
SALARY LIMIT	85,000	85,000

Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION
Program No. 14 - Salaries of Public Service Commissioners

	FY2017-18	FY2018-19
GENERAL FUND	490,438	493,800
PROGRAM TOTAL	490,438	493,800
SALARY LIMIT	375,000	375,000

Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE
Program No. 320 - Board of Parole Salaries

	FY2017-18	FY2018-19
GENERAL FUND	570,787	577,500
PROGRAM TOTAL	570,787	577,500
SALARY LIMIT	422,532	425,711

Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE
Program No. 13 - Salary - Tax Commissioner

	FY2017-18	FY2018-19
GENERAL FUND	210,554	213,309
PROGRAM TOTAL	210,554	213,309
SALARY LIMIT	162,686	164,302

It is the intent of the Legislature that if the appropriation or the salary limit is insufficient in this program to meet anticipated expenditures, the Tax Commissioner shall request an additional appropriation or a higher salary limit, or both, from the Legislature by the usual deficit process. The appropriation or the salary limit shall not be administratively increased solely by the Department of Administrative Services without legislative authorization.

Sec. 19. AGENCY NO. 37 – NEBRASKA WORKERS' COMPENSATION COURT
Program No. 526 - Judges' Salaries

	FY2017-18	FY2018-19
CASH FUND	1,310,865	1,318,294
PROGRAM TOTAL	1,310,865	1,318,294
SALARY LIMIT	1,113,543	1,113,543

Sec. 20. AGENCY NO. 37 – NEBRASKA WORKERS' COMPENSATION COURT
Program No. 635 - Retired and Acting Judges' Salaries

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

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

(1) As used in this act:

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

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

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

(3) The limitation on expenditures for permanent and temporary salaries and per diems for FY2017-18 shall be increased by certified encumbrance amounts from FY2016-17 for permanent and temporary salaries and per diems. The limitation on expenditures for permanent and temporary salaries and per diems for FY2018-19 shall be increased by certified encumbrance amounts from FY2017-18 for permanent and temporary salaries and per diems. Encumbered amounts shall be calculated in accordance with section 81-138.01.

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

Sec. 23. Since an emergency exists, this act takes effect when passed and

approved according to law.