

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 659**

Introduced by Speaker Hadley, 37; at the request of the Governor.

Read first time January 22, 2015

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 FY2015-16 and FY2016-17; 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 FY2015-16 and FY2016-17, 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, FY2014-15 means the period beginning July  
7 1, 2014, and ending June 30, 2015, FY2015-16 means the period beginning  
8 July 1, 2015, and ending June 30, 2016, and FY2016-17 means the period  
9 beginning July 1, 2016, and ending June 30, 2017.

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

	FY2015-16	FY2016-17
25		
26 GENERAL FUND	1,350,939	1,387,840
27 PROGRAM TOTAL	1,350,939	1,387,840
28 SALARY LIMIT	1,149,067	1,174,921

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

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

	FY2015-16	FY2016-17
31		

1	GENERAL FUND	1,111,200	1,141,019
2	PROGRAM TOTAL	1,111,200	1,141,019
3	SALARY LIMIT	935,669	956,722

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

5       Program No. 5 - Retired Judges' Salaries

6		FY2015-16	FY2016-17
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, 2015, is hereby reappropriated.

12       The unexpended General Fund appropriation balance existing on June  
13 30, 2016, is hereby reappropriated.

14       The budget division of the Department of Administrative Services  
15 shall administratively transfer General Fund appropriations among  
16 Programs 3, 4, 5, 6, and 7 within Agency 5, upon written certification by  
17 the State Court Administrator that the Nebraska Supreme Court has  
18 determined that such transfer is necessary for the efficient functioning  
19 of statewide court operations and the proper administration of justice.  
20 The Salary Limit for Agency 5, Program 5, may be administratively  
21 increased for any transfers made to Program 5 pursuant to this section.

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

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

24		FY2015-16	FY2016-17
25	GENERAL FUND	11,918,601	12,253,424
26	PROGRAM TOTAL	11,918,601	12,253,424
27	SALARY LIMIT	10,173,346	10,402,247

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

29       Program No. 7 - County Court Judges' Salaries

30		FY2015-16	FY2016-17
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1	GENERAL FUND	10,086,007	10,368,498
2	PROGRAM TOTAL	10,086,007	10,368,498
3	SALARY LIMIT	8,568,757	8,761,554
4	Sec. 10. AGENCY NO. 7 – GOVERNOR		
5	Program No. 2 - Salary - Governor		
6		FY2015-16	FY2016-17
7	GENERAL FUND	144,274	144,907
8	PROGRAM TOTAL	144,274	144,907
9	SALARY LIMIT	105,000	105,000
10	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
11	Program No. 8 - Salary - Lieutenant Governor		
12		FY2015-16	FY2016-17
13	GENERAL FUND	110,622	111,468
14	PROGRAM TOTAL	110,622	111,468
15	SALARY LIMIT	75,000	75,000
16	Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
17	Program No. 9 - Salary - Secretary of State		
18		FY2015-16	FY2016-17
19	GENERAL FUND	116,154	117,135
20	PROGRAM TOTAL	116,154	117,135
21	SALARY LIMIT	85,000	85,000
22	Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
23	Program No. 10 - Salary - Auditor of Public Accounts		
24		FY2015-16	FY2016-17
25	GENERAL FUND	119,600	120,446
26	PROGRAM TOTAL	119,600	120,446
27	SALARY LIMIT	85,000	85,000
28	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
29	Program No. 11 - Attorney General's Salary		
30		FY2015-16	FY2016-17

1	GENERAL FUND	131,819	132,665
2	PROGRAM TOTAL	131,819	132,665
3	SALARY LIMIT	95,000	95,000
4	Sec. 15. AGENCY NO. 12 – STATE TREASURER		
5	Program No. 12 - Salary - State Treasurer		
6		FY2015-16	FY2016-17
7	GENERAL FUND	121,424	122,047
8	PROGRAM TOTAL	121,424	122,047
9	SALARY LIMIT	85,000	85,000
10	Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
11	Program No. 14 - Salaries of Public Service Commissioners		
12		FY2015-16	FY2016-17
13	GENERAL FUND	493,447	496,741
14	PROGRAM TOTAL	493,447	496,741
15	SALARY LIMIT	375,000	375,000
16	Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE		
17	Program No. 320 - Board of Parole Salaries		
18		FY2015-16	FY2016-17
19	GENERAL FUND	549,736	563,114
20	PROGRAM TOTAL	549,736	563,114
21	SALARY LIMIT	408,306	417,243
22	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE		
23	Program No. 13 - Tax Commissioner		
24		FY2015-16	FY2016-17
25	GENERAL FUND	203,760	208,263
26	PROGRAM TOTAL	203,760	208,263
27	SALARY LIMIT	156,963	160,139

28 It is the intent of the Legislature that if the appropriation or the  
 29 salary limit is insufficient in this program to meet anticipated  
 30 expenditures, the Tax Commissioner shall request additional funds or a

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

5 Sec. 19. AGENCY NO. 37 – NEBRASKA WORKERS' COMPENSATION COURT

6 Program No. 526 - Judges' Salaries

	FY2015-16	FY2016-17
7		
8 CASH FUND	1,244,605	1,276,823
9 PROGRAM TOTAL	1,244,605	1,276,823
10 SALARY LIMIT	1,062,894	1,086,809

11 Sec. 20. AGENCY NO. 37 – NEBRASKA WORKERS' COMPENSATION COURT

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

	FY2015-16	FY2016-17
13		
14 CASH FUND	55,267	55,267
15 PROGRAM TOTAL	55,267	55,267
16 SALARY LIMIT	51,339	51,339

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

18 (1) As used in this act:

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

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

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

1 officers.

2 (3) The limitation on expenditures for permanent and temporary  
3 salaries and per diems for FY2015-16 shall be increased by certified  
4 encumbrance amounts from FY2014-15 for permanent and temporary salaries  
5 and per diems. The limitation on expenditures for permanent and temporary  
6 salaries and per diems for FY2016-17 shall be increased by certified  
7 encumbrance amounts from FY2015-16 for permanent and temporary salaries  
8 and per diems. Encumbered amounts shall be calculated in accordance with  
9 section 81-138.01.

10 Sec. 22. This act becomes operative on July 1, 2015.

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