

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 319

FINAL READING

Introduced by Speaker Flood, 19; at the request of the Governor

Read first time January 11, 2007

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to appropriate funds for
2 the payment of the salaries and benefits of certain state
3 officers for FY2007-08 and FY2008-09; to define terms; to
4 provide an 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 FY2007-08 and
3 FY2008-09, the amounts specified in this act, or so much as may
4 be necessary, for the salaries and benefits of officers of the
5 Nebraska state government.

6 Sec. 2. DEFINITION OF APPROPRIATION PERIOD.

7 For purposes of this act, FY2007-08 means the period
8 beginning July 1, 2007, and ending June 30, 2008, and FY2008-09
9 means the period beginning July 1, 2008, and ending June 30, 2009.

10 Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

16 Sec. 4. DRAWING AND PAYING WARRANTS.

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

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

24 Sec. 5. AGENCY NO. 5 - SUPREME COURT

25 Program No. 3 - Supreme Court Judges' Salaries

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	FY2007-08	FY2008-09
1		
2 GENERAL FUND	1,025,292	1,033,606
3 PROGRAM TOTAL	1,025,292	1,033,606
4 SALARY LIMIT	887,928	887,928

5 Sec. 6. AGENCY NO. 5 - SUPREME COURT

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

	FY2007-08	FY2008-09
7		
8 GENERAL FUND	843,923	851,231
9 PROGRAM TOTAL	843,923	851,231
10 SALARY LIMIT	723,027	723,027

11 Sec. 7. AGENCY NO. 5 - SUPREME COURT

12 Program No. 5 - Retired Judges' Salaries

	FY2007-08	FY2008-09
13		
14 GENERAL FUND	25,000	25,000
15 PROGRAM TOTAL	25,000	25,000
16 SALARY LIMIT	25,000	25,000

17 The budget division of the Department of Administrative
18 Services is hereby authorized to administratively transfer General
19 Fund appropriations among Programs 3, 4, 5, 6, and 7 within Agency
20 5, upon written certification by the State Court Administrator
21 that excess appropriations are available and are necessary to pay
22 retired judges' salaries or are necessary to adjust for program
23 shortfalls in Agency 5, Programs 3, 4, 6, and 7. The Salary Limit
24 for Agency 5, Program 5, may be administratively increased for any
25 transfers made to Program 5 pursuant to this section.

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1	Sec. 8. AGENCY NO. 5 - SUPREME COURT		
2	Program No. 6 - District and Juvenile Court Judges'		
3	Salaries		
4		FY2007-08	FY2008-09
5	GENERAL FUND	8,745,272	8,819,808
6	PROGRAM TOTAL	8,745,272	8,819,808
7	SALARY LIMIT	7,626,661	7,626,661
8	Sec. 9. AGENCY NO. 5 - SUPREME COURT		
9	Program No. 7 - County Court Judges' Salaries		
10		FY2007-08	FY2008-09
11	GENERAL FUND	7,707,290	7,765,659
12	PROGRAM TOTAL	7,707,290	7,765,659
13	SALARY LIMIT	6,735,566	6,735,566
14	Sec. 10. AGENCY NO. 7 - GOVERNOR		
15	Program No. 2 - Salary - Governor		
16		FY2007-08	FY2008-09
17	GENERAL FUND	136,824	138,418
18	PROGRAM TOTAL	136,824	138,418
19	SALARY LIMIT	105,000	105,000
20	Sec. 11. AGENCY NO. 8 - LIEUTENANT GOVERNOR		
21	Program No. 8 - Salary - Lieutenant Governor		
22		FY2007-08	FY2008-09
23	GENERAL FUND	102,568	104,184
24	PROGRAM TOTAL	102,568	104,184
25	SALARY LIMIT	75,000	75,000

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1 Sec. 12. AGENCY NO. 9 - SECRETARY OF STATE

2 Program No. 9 - Salary - Secretary of State

	FY2007-08	FY2008-09
4 GENERAL FUND	108,370	109,387
5 PROGRAM TOTAL	108,370	109,387
6 SALARY LIMIT	85,000	85,000

7 Sec. 13. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS

8 Program No. 10 - Salary - Auditor of Public Accounts

	FY2007-08	FY2008-09
10 GENERAL FUND	111,335	112,801
11 PROGRAM TOTAL	111,335	112,801
12 SALARY LIMIT	85,000	85,000

13 Sec. 14. AGENCY NO. 11 - ATTORNEY GENERAL

14 Program No. 11 - Attorney General's Salary

	FY2007-08	FY2008-09
16 GENERAL FUND	124,223	125,700
17 PROGRAM TOTAL	124,223	125,700
18 SALARY LIMIT	95,000	95,000

19 Sec. 15. AGENCY NO. 12 - STATE TREASURER

20 Program No. 12 - Salary - State Treasurer

	FY2007-08	FY2008-09
22 GENERAL FUND	111,137	113,038
23 PROGRAM TOTAL	111,137	113,038
24 SALARY LIMIT	85,000	85,000

25 Sec. 16. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION

1 Program No. 14 - Salaries of Public Service Commissioners

	FY2007-08	FY2008-09
2		
3 GENERAL FUND	489,634	495,485
4 PROGRAM TOTAL	489,634	495,485
5 SALARY LIMIT	375,000	375,000

6 Sec. 17. AGENCY NO. 15 - BOARD OF PARDONS AND BOARD OF
7 PAROLE

8 Program No. 320 - Board of Parole Salaries

	FY2007-08	FY2008-09
9		
10 GENERAL FUND	451,291	465,991
11 PROGRAM TOTAL	451,291	465,991
12 SALARY LIMIT	342,995	351,561

13 Sec. 18. AGENCY NO. 16 - DEPARTMENT OF REVENUE

14 Program No. 13 - Tax Commissioner

	FY2007-08	FY2008-09
15		
16 GENERAL FUND	164,887	170,168
17 PROGRAM TOTAL	164,887	170,168
18 SALARY LIMIT	129,665	132,901

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

1 authorization.

2 Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION

3 COURT

4 Program No. 526 - Judges' Salaries

	FY2007-08	FY2008-09
6 CASH FUND	964,928	974,173
7 PROGRAM TOTAL	964,928	974,173
8 SALARY LIMIT	821,335	821,335

9 Sec. 20. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION

10 COURT

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

	FY2007-08	FY2008-09
13 CASH FUND	55,267	55,267
14 PROGRAM TOTAL	55,267	55,267
15 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
19 and temporary salaries and per diems; and

20 (b) Total expenditures for permanent and temporary
21 salaries and per diems means all remuneration paid to employees
22 treated as taxable compensation by the Internal Revenue Service
23 or subject to social security coverage, specifically including
24 payments accounted for as vacation, holidays, sick leave, military
25 leave, funeral leave, maternity leave, administrative leave,

1 compensatory time, deferred compensation, or any other similar
2 form, and amounts withheld pursuant to law, but excluding state
3 contributions for social security, retirement, and employee
4 insurance plans.

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

8 (3) The limitation on expenditures for permanent and
9 temporary salaries and per diems for FY2007-08 shall be increased
10 by certified encumbrance amounts from FY2006-07 for permanent and
11 temporary salaries and per diems. The limitation on expenditures
12 for permanent and temporary salaries and per diems for FY2008-09
13 shall be increased by certified encumbrance amounts from FY2007-08
14 for permanent and temporary salaries and per diems. Encumbered
15 amounts shall be calculated in accordance with section 81-138.01.

16 Sec. 22. This act becomes operative on July 1, 2007.

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