

E AND R AMENDMENTS TO LB 376

Introduced by Larson, 40, Chairperson Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. APPROPRIATION LANGUAGE.

4 There are hereby appropriated, for FY2011-12 and
5 FY2012-13, the amounts specified in this act, or so much as may
6 be necessary, for the salaries and benefits of officers of the
7 Nebraska state government.

8 Sec. 2. DEFINITION OF APPROPRIATION PERIOD.

9 For purposes of this act, FY2011-12 means the period
10 beginning July 1, 2011, and ending June 30, 2012, and FY2012-13
11 means the period beginning July 1, 2012, and ending June 30, 2013.

12 Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

18 Sec. 4. DRAWING AND PAYING WARRANTS.

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

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

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

4 Program No. 3 - Supreme Court Judges' Salaries

	FY2011-12	FY2012-13
5		
6 GENERAL FUND	1,176,500	1,178,453
7 PROGRAM TOTAL	1,176,500	1,178,453
8 SALARY LIMIT	999,317	999,317

9 The unexpended General Fund appropriation balance
10 existing on June 30, 2011, is hereby reappropriated.

11 The unexpended General Fund appropriation balance
12 existing on June 30, 2012, is hereby reappropriated.

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

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

	FY2011-12	FY2012-13
15		
16 GENERAL FUND	969,636	971,310
17 PROGRAM TOTAL	969,636	971,310
18 SALARY LIMIT	813,730	813,730

19 The unexpended General Fund appropriation balance
20 existing on June 30, 2011, is hereby reappropriated.

21 The unexpended General Fund appropriation balance
22 existing on June 30, 2012, is hereby reappropriated.

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

24 Program No. 5 - Retired Judges' Salaries

	FY2011-12	FY2012-13
1		
2	GENERAL FUND	47,436
3	PROGRAM TOTAL	47,436
4	SALARY LIMIT	44,832

5 The unexpended General Fund appropriation balance
6 existing on June 30, 2011, is hereby reappropriated.

7 The unexpended General Fund appropriation balance
8 existing on June 30, 2012, is hereby reappropriated.

9 The budget division of the Department of Administrative
10 Services shall administratively transfer General Fund
11 appropriations among Programs 3, 4, 5, 6, 7, 52, 67, and 435
12 within Agency 5, upon written certification by the State Court
13 Administrator that the Nebraska Supreme Court has determined
14 that such transfer is necessary for the efficient functioning
15 of statewide court operations and the proper administration of
16 justice. The Salary Limit for Agency 5, Programs 5, 52, 67, and
17 435, may be administratively increased for any transfers made to
18 Programs 5, 52, 67, and 435 pursuant to this section.

19 Sec. 8. AGENCY NO. 5 - SUPREME COURT

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

	FY2011-12	FY2012-13
22		
23	GENERAL FUND	10,353,750
24	PROGRAM TOTAL	10,372,443
25	SALARY LIMIT	8,847,524

1 The unexpended General Fund appropriation balance
2 existing on June 30, 2011, is hereby reappropriated.

3 The unexpended General Fund appropriation balance
4 existing on June 30, 2012, is hereby reappropriated.

5 Sec. 9. AGENCY NO. 5 - SUPREME COURT

6 Program No. 7 - County Court Judges' Salaries

	FY2011-12	FY2012-13
7		
8 GENERAL FUND	8,766,226	8,782,408
9 PROGRAM TOTAL	8,766,226	8,782,408
10 SALARY LIMIT	7,452,049	7,452,049

11 The unexpended General Fund appropriation balance
12 existing on June 30, 2011, is hereby reappropriated.

13 The unexpended General Fund appropriation balance
14 existing on June 30, 2012, is hereby reappropriated.

15 Sec. 10. AGENCY NO. 7 - GOVERNOR

16 Program No. 2 - Salary - Governor

	FY2011-12	FY2012-13
17		
18 GENERAL FUND	142,849	142,849
19 PROGRAM TOTAL	142,849	142,849
20 SALARY LIMIT	105,000	105,000

21 Sec. 11. AGENCY NO. 8 - LIEUTENANT GOVERNOR

22 Program No. 8 - Salary - Lieutenant Governor

	FY2011-12	FY2012-13
23		
24 GENERAL FUND	108,716	108,716

1	PROGRAM TOTAL	108,716	108,716
2	SALARY LIMIT	75,000	75,000
3	Sec. 12. AGENCY NO. 9 - SECRETARY OF STATE		
4	Program No. 9 - Salary - Secretary of State		
5		FY2011-12	FY2012-13
6	GENERAL FUND	112,282	112,282
7	PROGRAM TOTAL	112,282	112,282
8	SALARY LIMIT	85,000	85,000
9	Sec. 13. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS		
10	Program No. 10 - Salary - Auditor of Public Accounts		
11		FY2011-12	FY2012-13
12	GENERAL FUND	117,694	117,694
13	PROGRAM TOTAL	117,694	117,694
14	SALARY LIMIT	85,000	85,000
15	Sec. 14. AGENCY NO. 11 - ATTORNEY GENERAL		
16	Program No. 11 - Attorney General's Salary		
17		FY2011-12	FY2012-13
18	GENERAL FUND	129,913	129,913
19	PROGRAM TOTAL	129,913	129,913
20	SALARY LIMIT	95,000	95,000
21	Sec. 15. AGENCY NO. 12 - STATE TREASURER		
22	Program No. 12 - Salary - State Treasurer		

	FY2011-12	FY2012-13	
1			
2	GENERAL FUND	117,018	117,018
3	PROGRAM TOTAL	117,018	117,018
4	SALARY LIMIT	85,000	85,000
5	Sec. 16. AGENCY NO. 14 - PUBLIC SERVICE COMMISSION		
6	Program No. 14 - Salaries of Public Service Commissioners		
7			
8	GENERAL FUND	489,216	489,216
9	PROGRAM TOTAL	489,216	489,216
10	SALARY LIMIT	375,000	375,000
11	Sec. 17. AGENCY NO. 15 - BOARD OF PARDONS AND BOARD OF		
12	PAROLE		
13	Program No. 320 - Board of Parole Salaries		
14			
15	GENERAL FUND	504,200	512,693
16	PROGRAM TOTAL	504,200	512,693
17	SALARY LIMIT	374,803	382,178
18	Sec. 18. AGENCY NO. 16 - DEPARTMENT OF REVENUE		
19	Program No. 13 - Tax Commissioner		
20			
21	GENERAL FUND	187,234	190,493
22	PROGRAM TOTAL	187,234	190,493

1 SALARY LIMIT 144,328 147,159

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

10 Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION
11 COURT

12 Program No. 526 - Judges' Salaries

13	FY2011-12	FY2012-13
14 CASH FUND	1,070,460	1,070,460
15 PROGRAM TOTAL	1,070,460	1,070,460
16 SALARY LIMIT	924,375	924,375

17 Sec. 20. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION
18 COURT

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

20	FY2011-12	FY2012-13
21 CASH FUND	55,267	55,267
22 PROGRAM TOTAL	55,267	55,267
23 SALARY LIMIT	51,339	51,339

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

1 (1) As used in this act:

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

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

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

17 (3) The limitation on expenditures for permanent and
18 temporary salaries and per diems for FY2011-12 shall be increased
19 by certified encumbrance amounts from FY2010-11 for permanent and
20 temporary salaries and per diems. The limitation on expenditures
21 for permanent and temporary salaries and per diems for FY2012-13
22 shall be increased by certified encumbrance amounts from FY2011-12
23 for permanent and temporary salaries and per diems. Encumbered
24 amounts shall be calculated in accordance with section 81-138.01.

25 Sec. 22. This act becomes operative on July 1, 2011.

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