

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 197

Introduced by Speaker Adams, 24; at the request of the Governor.

Read first time January 15, 2013

Committee: Appropriations

A BILL

- 1 FOR AN ACT relating to appropriations; to appropriate funds for the
- 2 payment of the salaries and benefits of certain state
- 3 officers for FY2013-14 and FY2014-15; 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 FY2013-14 and
3 FY2014-15, the amounts specified in this act, or so much as may be
4 necessary, for the salaries and benefits of officers of the Nebraska
5 state government.

6 Sec. 2. DEFINITION OF APPROPRIATION PERIOD.

7 For purposes of this act, FY2013-14 means the period
8 beginning July 1, 2013, and ending June 30, 2014, and FY2014-15 means
9 the period beginning July 1, 2014, and ending June 30, 2015.

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 of
13 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 not
19 to exceed the appropriations set forth in this act upon presentation
20 of proper documentation. The State Treasurer shall pay the warrants
21 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

1		FY2013-14	FY2014-15
2	GENERAL FUND	1,180,667	1,183,010
3	PROGRAM TOTAL	1,180,667	1,183,010
4	SALARY LIMIT	1,019,303	1,019,303

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

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

7		FY2013-14	FY2014-15
8	GENERAL FUND	973,207	975,216
9	PROGRAM TOTAL	973,207	975,216
10	SALARY LIMIT	830,005	830,005

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

12 Program No. 5 - Retired Judges' Salaries

13		FY2013-14	FY2014-15
14	GENERAL FUND	47,436	47,436
15	PROGRAM TOTAL	47,436	47,436
16	SALARY LIMIT	44,832	44,832

17 The unexpended General Fund appropriation balance
 18 existing on June 30, 2013, is hereby reappropriated.

19 The unexpended General Fund appropriation balance
 20 existing on June 30, 2014, is hereby reappropriated.

21 The budget division of the Department of Administrative
 22 Services shall administratively transfer General Fund appropriations
 23 among Programs 3, 4, 5, 6, and 7 within Agency 5, upon written

1 certification by the State Court Administrator that the Nebraska
 2 Supreme Court has determined that such transfer is necessary for the
 3 efficient functioning of statewide court operations and the proper
 4 administration of justice. The Salary Limit for Agency 5, Program 5
 5 may be administratively increased for any transfers made to Program 5
 6 pursuant to this section.

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

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

	FY2013-14	FY2014-15
10		
11 GENERAL FUND	10,393,629	10,416,060
12 PROGRAM TOTAL	10,393,629	10,416,060
13 SALARY LIMIT	9,024,474	9,024,474

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

15 Program No. 7 - County Court Judges' Salaries

	FY2013-14	FY2014-15
16		
17 GENERAL FUND	8,800,748	8,820,166
18 PROGRAM TOTAL	8,800,748	8,820,166
19 SALARY LIMIT	7,601,090	7,601,090

20 Sec. 10. AGENCY NO. 7 – GOVERNOR

21 Program No. 2 - Salary - Governor

	FY2013-14	FY2014-15
22		
23 GENERAL FUND	142,849	142,849
24 PROGRAM TOTAL	142,849	142,849

1	SALARY LIMIT	105,000	105,000
2	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
3	Program No. 8 - Salary - Lieutenant Governor		
4		FY2013-14	FY2014-15
5	GENERAL FUND	108,716	108,716
6	PROGRAM TOTAL	108,716	108,716
7	SALARY LIMIT	75,000	75,000
8	Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
9	Program No. 9 - Salary - Secretary of State		
10		FY2013-14	FY2014-15
11	GENERAL FUND	113,944	113,944
12	PROGRAM TOTAL	113,944	113,944
13	SALARY LIMIT	85,000	85,000
14	Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
15	Program No. 10 - Salary - Auditor of Public Accounts		
16		FY2013-14	FY2014-15
17	GENERAL FUND	117,694	117,694
18	PROGRAM TOTAL	117,694	117,694
19	SALARY LIMIT	85,000	85,000
20	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
21	Program No. 11 - Attorney General's Salary		
22		FY2013-14	FY2014-15
23	GENERAL FUND	129,913	129,913

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1	PROGRAM TOTAL	129,913
2	SALARY LIMIT	95,000
3	Sec. 15. AGENCY NO. 12 – STATE TREASURER	
4	Program No. 12 - Salary - State Treasurer	
5		FY2013-14
6	GENERAL FUND	120,018
7	PROGRAM TOTAL	120,018
8	SALARY LIMIT	85,000
9	Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION	
10	Program No. 14 - Salaries of Public Service Commissioners	
11		FY2013-14
12	GENERAL FUND	487,351
13	PROGRAM TOTAL	487,351
14	SALARY LIMIT	375,000
15	Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF	
16	PAROLE	
17	Program No. 320 - Board of Parole Salaries	
18		FY2013-14
19	GENERAL FUND	522,245
20	PROGRAM TOTAL	522,245
21	SALARY LIMIT	390,474
22	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE	
23	Program No. 13 - Tax Commissioner	

1		FY2013-14	FY2014-15
2	GENERAL FUND	194,268	198,129
3	PROGRAM TOTAL	194,268	198,129
4	SALARY LIMIT	150,438	153,791

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

13 Sec. 19. AGENCY NO. 37 - NEBRASKA WORKERS' COMPENSATION
14 COURT

15 Program No. 526 - Judges' Salaries

16		FY2013-14	FY2014-15
17	CASH FUND	1,109,083	1,109,083
18	PROGRAM TOTAL	1,109,083	1,109,083
19	SALARY LIMIT	942,862	942,862

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

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

23		FY2013-14	FY2014-15
24	CASH FUND	55,267	55,267

1	PROGRAM TOTAL	55,267	55,267
2	SALARY LIMIT	51,339	51,339

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

4 (1) As used in this act:

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

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

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

19 (3) The limitation on expenditures for permanent and
20 temporary salaries and per diems for FY2013-14 shall be increased by
21 certified encumbrance amounts from FY2012-13 for permanent and
22 temporary salaries and per diems. The limitation on expenditures for
23 permanent and temporary salaries and per diems for FY2014-15 shall be
24 increased by certified encumbrance amounts from FY2013-14 for
25 permanent and temporary salaries and per diems. Encumbered amounts

1 shall be calculated in accordance with section 81-138.01.

2 Sec. 22. This act becomes operative on July 1, 2013.

3 Sec. 23. Since an emergency exists, this act takes effect

4 when passed and approved according to law.