

# LEGISLATIVE BILL 296

Approved by the Governor May 27, 2019

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 FY2019-20 and FY2020-21; 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 FY2019-20 and FY2020-21, 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, FY2019-20 means the period beginning July 1, 2019, and ending June 30, 2020, and FY2020-21 means the period beginning July 1, 2020, and ending June 30, 2021.

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

	FY2019-20	FY2020-21
GENERAL FUND	1,469,980	1,474,837
PROGRAM TOTAL	1,469,980	1,474,837
SALARY LIMIT	1,234,097	1,234,097

Sec. 6. AGENCY NO. 5 – SUPREME COURT

Program No. 4 - Court of Appeals Judges' Salaries

	FY2019-20	FY2020-21
GENERAL FUND	1,212,590	1,216,941
PROGRAM TOTAL	1,212,590	1,216,941
SALARY LIMIT	1,004,908	1,004,908

Sec. 7. AGENCY NO. 5 – SUPREME COURT

Program No. 5 - Retired Judges' Salaries

	FY2019-20	FY2020-21
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, 2018, is hereby reappropriated.

The unexpended General Fund appropriation balance existing on June 30, 2019, 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, and 7 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

	FY2019-20	FY2020-21
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LB296		LB296
2019		2019
GENERAL FUND	13,128,329	13,168,644
PROGRAM TOTAL	13,128,329	13,168,644
SALARY LIMIT	11,086,425	11,086,425
Sec. 9. AGENCY NO. 5 – SUPREME COURT		
Program No. 7 - County Court Judges' Salaries		
	FY2019-20	FY2020-21
GENERAL FUND	10,953,503	10,988,065
PROGRAM TOTAL	10,953,503	10,988,065
SALARY LIMIT	9,202,837	9,202,837
Sec. 10. AGENCY NO. 7 – GOVERNOR		
Program No. 2 - Salary - Governor		
	FY2019-20	FY2020-21
GENERAL FUND	148,691	149,525
PROGRAM TOTAL	148,691	149,525
SALARY LIMIT	105,000	105,000
Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
Program No. 8 - Salary - Lieutenant Governor		
	FY2019-20	FY2020-21
GENERAL FUND	114,196	115,030
PROGRAM TOTAL	114,196	115,030
SALARY LIMIT	75,000	75,000
Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
Program No. 9 - Salary - Secretary of State		
	FY2019-20	FY2020-21
GENERAL FUND	119,200	119,840
PROGRAM TOTAL	119,200	119,840
SALARY LIMIT	85,000	85,000
Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
Program No. 10 - Salary - Auditor of Public Accounts		
	FY2019-20	FY2020-21
GENERAL FUND	123,927	124,700
PROGRAM TOTAL	123,927	124,700
SALARY LIMIT	85,000	85,000
Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
Program No. 11 - Attorney General's Salary		
	FY2019-20	FY2020-21
GENERAL FUND	136,725	137,544
PROGRAM TOTAL	136,725	137,544
SALARY LIMIT	95,000	95,000
Sec. 15. AGENCY NO. 12 – STATE TREASURER		
Program No. 12 - Salary - State Treasurer		
	FY2019-20	FY2020-21
GENERAL FUND	46,884	47,212
CASH FUND	80,663	81,225
PROGRAM TOTAL	127,547	128,437
SALARY LIMIT	85,000	85,000

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

	FY2019-20	FY2020-21
GENERAL FUND	493,844	495,364
PROGRAM TOTAL	493,844	495,364
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

	FY2019-20	FY2020-21
GENERAL FUND	592,894	606,209
PROGRAM TOTAL	592,894	606,209
SALARY LIMIT	438,769	448,848

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

	FY2019-20	FY2020-21
GENERAL FUND	168,591	172,237
CASH FUND	50,908	52,462
PROGRAM TOTAL	219,499	224,699
SALARY LIMIT	169,380	173,309

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

	FY2019-20	FY2020-21
CASH FUND	1,352,981	1,356,766
PROGRAM TOTAL	1,352,981	1,356,766
SALARY LIMIT	1,141,545	1,141,545

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

	FY2019-20	FY2020-21
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 FY2019-20 shall be increased by certified encumbrance amounts from FY2018-19 for permanent and temporary salaries and per diems. The limitation on expenditures for permanent and temporary salaries and per diems for FY2020-21 shall be increased by certified encumbrance amounts from FY2019-20 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, 2019.

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