

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 382

Introduced by Speaker Hilgers, 21; at the request of the Governor.

Read first time January 14, 2021

Committee: Appropriations

- 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 FY2021-22 and FY2022-23; 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 FY2021-22 and FY2022-23, 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, FY2021-22 means the period beginning July
7 1, 2021, and ending June 30, 2022, and FY2022-23 means the period
8 beginning July 1, 2022, and ending June 30, 2023.

9 Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

14 Sec. 4. DRAWING AND PAYING WARRANTS.

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

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

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

23 Program No. 3 - Supreme Court Judges' Salaries

	FY2021-22	FY2022-23
24 GENERAL FUND	1,560,924	1,565,877
25 PROGRAM TOTAL	1,560,924	1,565,877
26 SALARY LIMIT	1,309,253	1,309,253

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

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

	FY2021-22	FY2022-23
30 GENERAL FUND	1,287,878	1,292,556

1	PROGRAM TOTAL	1,287,878	1,292,556
2	SALARY LIMIT	1,066,107	1,066,107

3 Sec. 7. AGENCY NO. 5 – SUPREME COURT
4 Program No. 5 - Retired Judges' Salaries

5		FY2021-22	FY2022-23
6	GENERAL FUND	72,436	72,436
7	PROGRAM TOTAL	72,436	72,436
8	SALARY LIMIT	69,832	69,832

9 The unexpended General Fund appropriation balance existing on June
10 30, 2021, is hereby reappropriated.

11 The unexpended General Fund appropriation balance existing on June
12 30, 2022, is hereby reappropriated.

13 The budget division of the Department of Administrative Services
14 shall administratively transfer General Fund appropriations or Salary
15 Limits or both among Programs 3, 4, 5, 6, and 7 within Agency 5, upon
16 written certification by the State Court Administrator that the Nebraska
17 Supreme Court has determined that such transfer is necessary for the
18 efficient functioning of statewide court operations and the proper
19 administration of justice.

20 Sec. 8. AGENCY NO. 5 – SUPREME COURT
21 Program No. 6 - District and Juvenile Court Judges' Salaries

22		FY2021-22	FY2022-23
23	GENERAL FUND	14,157,288	14,203,407
24	PROGRAM TOTAL	14,157,288	14,203,407
25	SALARY LIMIT	11,934,767	11,934,767

26 Sec. 9. AGENCY NO. 5 – SUPREME COURT
27 Program No. 7 - County Court Judges' Salaries

28		FY2021-22	FY2022-23
29	GENERAL FUND	11,637,896	11,678,641
30	PROGRAM TOTAL	11,637,896	11,678,641

1	SALARY LIMIT	9,763,289	9,763,289
2	Sec. 10. AGENCY NO. 7 – GOVERNOR		
3	Program No. 2 - Salary - Governor		
4		FY2021-22	FY2022-23
5	GENERAL FUND	149,525	149,525
6	PROGRAM TOTAL	149,525	149,525
7	SALARY LIMIT	105,000	105,000
8	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
9	Program No. 8 - Salary - Lieutenant Governor		
10		FY2021-22	FY2022-23
11	GENERAL FUND	116,071	117,154
12	PROGRAM TOTAL	116,071	117,154
13	SALARY LIMIT	75,000	75,000
14	Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
15	Program No. 9 - Salary - Secretary of State		
16		FY2021-22	FY2022-23
17	GENERAL FUND	120,718	121,632
18	PROGRAM TOTAL	120,718	121,632
19	SALARY LIMIT	85,000	85,000
20	Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
21	Program No. 10 - Salary - Auditor of Public Accounts		
22		FY2021-22	FY2022-23
23	GENERAL FUND	125,736	126,814
24	PROGRAM TOTAL	125,736	126,814
25	SALARY LIMIT	85,000	85,000
26	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
27	Program No. 11 - Attorney General's Salary		
28		FY2021-22	FY2022-23
29	GENERAL FUND	138,689	139,880
30	PROGRAM TOTAL	138,689	139,880

1	SALARY LIMIT	95,000	95,000
2	Sec. 15. AGENCY NO. 12 – STATE TREASURER		
3	Program No. 12 - Salary - State Treasurer		
4		FY2021-22	FY2022-23
5	GENERAL FUND	47,662	48,129
6	CASH FUND	81,998	82,802
7	PROGRAM TOTAL	129,660	130,931
8	SALARY LIMIT	85,000	85,000
9	Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
10	Program No. 14 - Salaries of Public Service Commissioners		
11		FY2021-22	FY2022-23
12	GENERAL FUND	497,549	499,818
13	PROGRAM TOTAL	497,549	499,818
14	SALARY LIMIT	375,000	375,000
15	Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE		
16	Program No. 320 - Board of Parole Salaries		
17		FY2021-22	FY2022-23
18	GENERAL FUND	617,991	630,052
19	PROGRAM TOTAL	617,991	630,052
20	SALARY LIMIT	457,286	465,894
21	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE		
22	Program No. 13 - Salary - Tax Commissioner		
23		FY2021-22	FY2022-23
24	GENERAL FUND	175,935	179,719
25	CASH FUND	53,563	54,692
26	PROGRAM TOTAL	229,498	234,411
27	SALARY LIMIT	176,732	180,223

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 an additional

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

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

6 Program No. 526 - Judges' Salaries

	FY2021-22	FY2022-23
7		
8 CASH FUND	1,437,424	1,442,679
9 PROGRAM TOTAL	1,437,424	1,442,679
10 SALARY LIMIT	1,211,065	1,211,065

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

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

	FY2021-22	FY2022-23
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 FY2021-22 shall be increased by certified
4 encumbrance amounts from FY2020-21 for permanent and temporary salaries
5 and per diems. The limitation on expenditures for permanent and temporary
6 salaries and per diems for FY2022-23 shall be increased by certified
7 encumbrance amounts from FY2021-22 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, 2021.

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