

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 323

Introduced by Linehan, 39; Bostar, 29.

Read first time January 11, 2023

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to appropriate funds for a
- 2 salary increase for legislative employees; to define terms; to
- 3 provide an operative date; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act, FY2023-24 means the period July 1, 2023,
3 through June 30, 2024; and FY2024-25 means the period July 1, 2024,
4 through June 30, 2025.

5 Sec. 2. APPROPRIATION LANGUAGE.

6 There are hereby appropriated, for FY2023-24 and FY2024-25, the sums
7 set forth in this act to the Legislative Council for each program from
8 the General Fund for a fifteen percent increase in salaries paid to
9 legislative employees as set forth in this act.

10 Sec. 3. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

15 Sec. 4. DRAWING AND PAYING WARRANTS.

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

21 Sec. 5. AGENCY NO. 3 – LEGISLATIVE COUNCIL

22 Program No. 122 - Legislative Services

	FY2023-24	FY2024-25
23		
24 GENERAL FUND	1,285,005	2,647,743
25 PROGRAM TOTAL	1,285,005	2,647,743
26 SALARY LIMIT	1,115,937	2,299,386

27 The unexpended General Fund appropriation balance existing on June
28 30, 2024, is hereby reappropriated.

29 Sec. 6. AGENCY NO. 3 – LEGISLATIVE COUNCIL

30 Program No. 123 - Clerk of the Legislature

	FY2023-24	FY2024-25
31		

1	GENERAL FUND	590,097	1,227,138
2	CASH FUND	10,566	21,774
3	PROGRAM TOTAL	600,663	1,248,912
4	SALARY LIMIT	523,245	1,087,770

5 The unexpended General Fund and Cash Fund appropriation balances
6 existing on June 30, 2024, are hereby reappropriated.

7 Sec. 7. AGENCY NO. 3 – LEGISLATIVE COUNCIL

8 Program No. 126 - Legislative Research

9		FY2023-24	FY2024-25
10	GENERAL FUND	88,200	181,743
11	PROGRAM TOTAL	88,200	181,743
12	SALARY LIMIT	76,596	157,830

13 The unexpended General Fund appropriation balance existing on June
14 30, 2024, is hereby reappropriated.

15 Sec. 8. AGENCY NO. 3 – LEGISLATIVE COUNCIL

16 Program No. 127 - Revisor of Statutes

17		FY2023-24	FY2024-25
18	GENERAL FUND	174,111	358,752
19	PROGRAM TOTAL	174,111	358,752
20	SALARY LIMIT	151,203	311,550

21 The unexpended General Fund appropriation balance existing on June
22 30, 2024, is hereby reappropriated.

23 Sec. 9. AGENCY NO. 3 – LEGISLATIVE COUNCIL

24 Program No. 129 - Legislative Audit

25		FY2023-24	FY2024-25
26	GENERAL FUND	106,599	201,108
27	PROGRAM TOTAL	106,599	201,108
28	SALARY LIMIT	84,759	174,648

29 The unexpended General Fund appropriation balance existing on June
30 30, 2024, is hereby reappropriated.

1 Sec. 10. AGENCY NO. 3 – LEGISLATIVE COUNCIL

2 Program No. 504 - Office of Public Counsel

	FY2023-24	FY2024-25
4 GENERAL FUND	233,796	481,737
5 PROGRAM TOTAL	233,796	481,737
6 SALARY LIMIT	203,037	418,356

7 The unexpected General Fund appropriation balance existing on June
8 30, 2024, is hereby reappropriated.

9 Sec. 11. AGENCY NO. 3 – LEGISLATIVE COUNCIL

10 Program No. 638 - Fiscal and Program Analysis

	FY2023-24	FY2024-25
12 GENERAL FUND	214,272	441,492
13 PROGRAM TOTAL	214,272	441,492
14 SALARY LIMIT	186,078	383,403

15 The unexpected General Fund appropriation balance existing on June
16 30, 2024, is hereby reappropriated.

17 Sec. 12. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

18 (1) For purposes of this act, (a) SALARY LIMIT shall mean total
19 expenditures for permanent and temporary salaries and per diems and (b)
20 total expenditures for permanent and temporary salaries and per diems
21 shall mean all remuneration paid to employees treated as taxable
22 compensation by the Internal Revenue Service or subject to social
23 security coverage, specifically including payments accounted for as
24 vacation, holidays, sick leave, military leave, funeral leave, maternity
25 leave, administrative leave, compensatory time, deferred compensation, or
26 any other similar form, and amounts withheld pursuant to law, but
27 excluding state contributions for social security, retirement, and
28 employee insurance plans.

29 (2) Total expenditures for permanent and temporary salaries and per
30 diems shall be limited to the amount shown except when federal funds in
31 excess of the amount shown are available and approved by the Governor.

1 Expenditures for permanent and temporary salaries and per diems from such
2 grants shall be in addition to the limitation on permanent and temporary
3 salaries and per diems otherwise shown in this act. No agency shall
4 request any state funds for continuation or replacement of any such
5 personnel or activities in future budget requests. To the extent
6 feasible, requests for increases in the limitation on permanent and
7 temporary salaries and per diems shall be addressed to the Appropriations
8 Committee of the Legislature when the Legislature is in session.

9 (3) Expenditures for permanent and temporary salaries resulting from
10 awards made to employees under sections 81-1346 to 81-1354 shall be in
11 addition to the limitations on permanent and temporary salaries and per
12 diems otherwise shown in this act.

13 (4) The limitation on expenditures for permanent and temporary
14 salaries and per diems for FY2024-25 as enumerated in this act shall be
15 the basis for continuation funding for each fiscal year of the succeeding
16 biennium.

17 (5) The limitation on expenditures for permanent and temporary
18 salaries and per diems for FY2023-24 shall be increased by certified
19 encumbrance amounts from FY2022-23 for permanent and temporary salaries
20 and per diems. The limitation on expenditures for permanent and temporary
21 salaries and per diems for FY2024-25 shall be increased by certified
22 encumbrance amounts from FY2023-24 for permanent and temporary salaries
23 and per diems. Encumbered amounts shall be calculated in accordance with
24 section 81-138.01.

25 (6) The limitation on expenditures for permanent and temporary
26 salaries and per diems shall only apply to remuneration paid to state
27 employees or per diem payments made to members of state boards or
28 commissions.

29 (7) The budget administrator of the budget division of the
30 Department of Administrative Services may administratively increase the
31 limitation on expenditures for permanent and temporary salaries and per

1 diems upon receipt of a request for such increase from the director of a
2 state agency certifying the actual amount of the payment to a former
3 employee of such agency, or his or her beneficiary upon the death of the
4 employee, of accumulated vacation and sick leave pursuant to section
5 81-1325 and the rules and regulations of the State Personnel System
6 governing such payments.

7 Sec. 13. This act becomes operative on July 1, 2023.

8 Sec. 14. Since an emergency exists, this act takes effect when
9 passed and approved according to law.