

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 816

Introduced by Arch, 14; at the request of the Governor.

Read first time January 25, 2023

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 FY2023-24 and FY2024-25; 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 FY2023-24 and FY2024-25, 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, FY2023-24 means the period beginning July
7 1, 2023, and ending June 30, 2024, and FY2024-25 means the period
8 beginning July 1, 2024, and ending June 30, 2025.

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

	FY2023-24	FY2024-25
24		
25 GENERAL FUND	1,660,155	1,665,306
26 PROGRAM TOTAL	1,660,155	1,665,306
27 SALARY LIMIT	1,388,986	1,388,986

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

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

	FY2023-24	FY2024-25
30		
31 GENERAL FUND	1,370,194	1,375,252

1	PROGRAM TOTAL	1,370,194	1,375,252
2	SALARY LIMIT	1,131,033	1,131,033

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

4 Program No. 5 - Retired Judges' Salaries

5		FY2023-24	FY2024-25
6	GENERAL FUND	74,951	77,350
7	PROGRAM TOTAL	74,951	77,350
8	SALARY LIMIT	72,016	74,100

9 The unexpended General Fund appropriation balance existing on June
10 30, 2023, is hereby reappropriated.

11 The unexpended General Fund appropriation balance existing on June
12 30, 2024, 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		FY2023-24	FY2024-25
23	GENERAL FUND	15,261,782	15,304,215
24	PROGRAM TOTAL	15,261,782	15,304,215
25	SALARY LIMIT	12,845,309	12,845,309

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

27 Program No. 7 - County Court Judges' Salaries

28		FY2023-24	FY2024-25
29	GENERAL FUND	12,378,531	12,421,695
30	PROGRAM TOTAL	12,378,531	12,421,695

1	SALARY LIMIT	10,357,873	10,357,873
2	Sec. 10. AGENCY NO. 7 – GOVERNOR		
3	Program No. 2 - Salary - Governor		
4		FY2023-24	FY2024-25
5	GENERAL FUND	151,900	151,900
6	PROGRAM TOTAL	151,900	151,900
7	SALARY LIMIT,	105,000	105,000
8	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
9	Program No. 8 - Salary - Lieutenant Governor		
10		FY2023-24	FY2024-25
11	GENERAL FUND	118,045	118,973
12	PROGRAM TOTAL	118,045	118,973
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		FY2023-24	FY2024-25
17	GENERAL FUND	121,635	121,635
18	PROGRAM TOTAL	121,635	121,635
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		FY2023-24	FY2024-25
23	GENERAL FUND	127,940	129,062
24	PROGRAM TOTAL	127,940	129,062
25	SALARY LIMIT	85,000	85,000
26	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
27	Program No. 11 - Attorney General's Salary		
28		FY2023-24	FY2024-25
29	GENERAL FUND	140,544	141,238
30	PROGRAM TOTAL	140,544	141,238

1	SALARY LIMIT	95,000	95,000
2	Sec. 15. AGENCY NO. 12 – STATE TREASURER		
3	Program No. 12 - Salary - State Treasurer		
4		FY2023-24	FY2024-25
5	GENERAL FUND	48,456	48,800
6	CASH FUND	83,363	83,948
7	PROGRAM TOTAL	131,819	132,748
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		FY2023-24	FY2024-25
12	GENERAL FUND	502,659	504,705
13	PROGRAM TOTAL	502,659	504,705
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		FY2023-24	FY2024-25
18	GENERAL FUND	673,052	704,763
19	PROGRAM TOTAL	673,052	704,763
20	SALARY LIMIT	501,544	526,745
21	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE		
22	Program No. 13 - Salary - Tax Commissioner		
23		FY2023-24	FY2024-25
24	GENERAL FUND	192,488	201,802
25	CASH FUND	58,387	61,132
26	PROGRAM TOTAL	250,875	262,934
27	SALARY LIMIT	194,307	203,973

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

	FY2023-24	FY2024-25
7		
8 CASH FUND	1,527,190	1,531,716
9 PROGRAM TOTAL	1,527,190	1,531,716
10 SALARY LIMIT	1,284,818	1,284,818

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

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

	FY2023-24	FY2024-25
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 FY2023-24 shall be increased by certified
4 encumbrance amounts from FY2022-23 for permanent and temporary salaries
5 and per diems. The limitation on expenditures for permanent and temporary
6 salaries and per diems for FY2024-25 shall be increased by certified
7 encumbrance amounts from FY2023-24 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, 2023.

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