

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 296**

Introduced by Speaker Scheer, 19; at the request of the Governor.

Read first time January 15, 2019

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 FY2019-20 and FY2020-21; 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 FY2019-20 and FY2020-21, 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, FY2018-19 means the period beginning July  
7 1, 2018, and ending June 30, 2019, FY2019-20 means the period beginning  
8 July 1, 2019, and ending June 30, 2020, and FY2020-21 means the period  
9 beginning July 1, 2020, and ending June 30, 2021.

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 are  
13 hereby adopted by the Legislature as the definitions for this act, except  
14 as provided in section 21 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 Workers' compensation premium assessments shall not be paid from the  
22 programs listed in this act.

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

24 Program No. 3 - Supreme Court Judges' Salaries

	FY2019-20	FY2020-21
25		
26 GENERAL FUND	1,486,970	1,518,573
27 PROGRAM TOTAL	1,486,970	1,518,573
28 SALARY LIMIT	1,249,659	1,274,835

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

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

	FY2019-20	FY2020-21
31		

1	GENERAL FUND	1,226,156	1,252,008
2	PROGRAM TOTAL	1,226,156	1,252,008
3	SALARY LIMIT	1,017,580	1,038,080

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

5       Program No. 5 - Retired Judges' Salaries

6		FY2019-20	FY2020-21
7	GENERAL FUND	72,436	72,436
8	PROGRAM TOTAL	72,436	72,436
9	SALARY LIMIT	69,832	69,832

10       The unexpended General Fund appropriation balance existing on June  
11 30, 2018, is hereby reappropriated.

12       The unexpended General Fund appropriation balance existing on June  
13 30, 2019, is hereby reappropriated.

14       The budget division of the Department of Administrative Services  
15 shall administratively transfer General Fund appropriations or Salary  
16 Limits or both among Programs 3, 4, 5, 6, 7, 52, 67, 420, 435, and 437  
17 within Agency 5, upon written certification by the State Court  
18 Administrator that the Nebraska Supreme Court has determined that such  
19 transfer is necessary for the efficient functioning of statewide court  
20 operations and the proper administration of justice.

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

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

23		FY2019-20	FY2020-21
24	GENERAL FUND	13,287,421	13,574,694
25	PROGRAM TOTAL	13,287,421	13,574,694
26	SALARY LIMIT	11,223,020	11,445,913

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

28       Program No. 7 - County Court Judges' Salaries

29		FY2019-20	FY2020-21
30	GENERAL FUND	11,094,296	11,342,783

1	PROGRAM TOTAL	11,094,296	11,342,783
2	SALARY LIMIT	9,322,058	9,513,033
3	Sec. 10. AGENCY NO. 7 – GOVERNOR		
4	Program No. 2 - Salary - Governor		
5		FY2019-20	FY2020-21
6	GENERAL FUND	148,491	149,119
7	PROGRAM TOTAL	148,491	149,119
8	SALARY LIMIT	105,000	105,000
9	Sec. 11. AGENCY NO. 8 – LIEUTENANT GOVERNOR		
10	Program No. 8 - Salary - Lieutenant Governor		
11		FY2019-20	FY2020-21
12	GENERAL FUND	113,996	114,624
13	PROGRAM TOTAL	113,996	114,624
14	SALARY LIMIT	75,000	75,000
15	Sec. 12. AGENCY NO. 9 – SECRETARY OF STATE		
16	Program No. 9 - Salary - Secretary of State		
17		FY2019-20	FY2020-21
18	GENERAL FUND	119,129	119,695
19	PROGRAM TOTAL	119,129	119,695
20	SALARY LIMIT	85,000	85,000
21	Sec. 13. AGENCY NO. 10 – AUDITOR OF PUBLIC ACCOUNTS		
22	Program No. 10 - Salary - Auditor of Public Accounts		
23		FY2019-20	FY2020-21
24	GENERAL FUND	123,914	124,673
25	PROGRAM TOTAL	123,914	124,673
26	SALARY LIMIT	85,000	85,000
27	Sec. 14. AGENCY NO. 11 – ATTORNEY GENERAL		
28	Program No. 11 - Attorney General's Salary		
29		FY2019-20	FY2020-21
30	GENERAL FUND	136,385	136,854

1	PROGRAM TOTAL	136,385	136,854
2	SALARY LIMIT	95,000	95,000
3	Sec. 15. AGENCY NO. 12 – STATE TREASURER		
4	Program No. 12 - Salary - State Treasurer		
5		FY2019-20	FY2020-21
6	GENERAL FUND	46,877	47,197
7	CASH FUND	80,117	80,117
8	PROGRAM TOTAL	126,994	127,314
9	SALARY LIMIT	85,000	85,000
10	Sec. 16. AGENCY NO. 14 – PUBLIC SERVICE COMMISSION		
11	Program No. 14 - Salaries of Public Service Commissioners		
12		FY2019-20	FY2020-21
13	GENERAL FUND	493,788	495,251
14	PROGRAM TOTAL	493,788	495,251
15	SALARY LIMIT	375,000	375,000
16	Sec. 17. AGENCY NO. 15 – BOARD OF PARDONS AND BOARD OF PAROLE		
17	Program No. 320 - Board of Parole Salaries		
18		FY2019-20	FY2020-21
19	GENERAL FUND	589,020	601,729
20	PROGRAM TOTAL	589,020	601,729
21	SALARY LIMIT	435,632	445,420
22	Sec. 18. AGENCY NO. 16 – DEPARTMENT OF REVENUE		
23	Program No. 13 - Salary - Tax Commissioner		
24		FY2019-20	FY2020-21
25	GENERAL FUND	169,501	173,821
26	CASH FUND	49,276	49,435
27	PROGRAM TOTAL	218,777	223,256
28	SALARY LIMIT	168,793	172,139

29 It is the intent of the Legislature that if the appropriation or the  
30 salary limit is insufficient in this program to meet anticipated

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

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

7 Program No. 526 - Judges' Salaries

	FY2019-20	FY2020-21
8		
9 CASH FUND	1,374,253	1,408,457
10 PROGRAM TOTAL	1,374,253	1,408,457
11 SALARY LIMIT	1,155,941	1,179,229

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

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

	FY2019-20	FY2020-21
14		
15 CASH FUND	55,267	55,267
16 PROGRAM TOTAL	55,267	55,267
17 SALARY LIMIT	51,339	51,339

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

19 (1) As used in this act:

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

22 (b) Total expenditures for permanent and temporary salaries and per  
23 diems means all remuneration paid to employees treated as taxable  
24 compensation by the Internal Revenue Service or subject to social  
25 security coverage, specifically including payments accounted for as  
26 vacation, holidays, sick leave, military leave, funeral leave, maternity  
27 leave, administrative leave, compensatory time, deferred compensation, or  
28 any other similar form, and amounts withheld pursuant to law, but  
29 excluding state contributions for social security, retirement, and  
30 employee insurance plans.

31 (2) Total expenditures for permanent and temporary salaries and per

1 diems are limited to the amount provided by law for constitutional  
2 officers.

3 (3) The limitation on expenditures for permanent and temporary  
4 salaries and per diems for FY2019-20 shall be increased by certified  
5 encumbrance amounts from FY2018-19 for permanent and temporary salaries  
6 and per diems. The limitation on expenditures for permanent and temporary  
7 salaries and per diems for FY2020-21 shall be increased by certified  
8 encumbrance amounts from FY2019-20 for permanent and temporary salaries  
9 and per diems. Encumbered amounts shall be calculated in accordance with  
10 section 81-138.01.

11 Sec. 22. This act becomes operative on July 1, 2019.

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