

LEGISLATIVE BILL 197

Approved by the Governor May 25, 2013

Introduced by Speaker Adams, 24; at the request of the Governor.

FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2013-14 and FY2014-15; 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 FY2013-14 and FY2014-15, 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, FY2013-14 means the period beginning July 1, 2013, and ending June 30, 2014, and FY2014-15 means the period beginning July 1, 2014, and ending June 30, 2015.

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

	FY2013-14	FY2014-15
GENERAL FUND	1,200,943	1,203,286
PROGRAM TOTAL	1,200,943	1,203,286
SALARY LIMIT	1,019,303	1,019,303

Sec. 6. AGENCY NO. 5 - SUPREME COURT

Program No. 4 - Court of Appeals Judges' Salaries

	FY2013-14	FY2014-15
GENERAL FUND	989,718	991,727
PROGRAM TOTAL	989,718	991,727
SALARY LIMIT	830,005	830,005

Sec. 7. AGENCY NO. 5 - SUPREME COURT

Program No. 5 - Retired Judges' Salaries

	FY2013-14	FY2014-15
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, 2013, is hereby reappropriated.

The unexpended General Fund appropriation balance existing on June 30, 2014, is hereby reappropriated.

The budget division of the Department of Administrative Services shall administratively transfer General Fund appropriations 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. The Salary Limit for Agency 5, Program 5, may be administratively increased for any transfers made to Program 5 pursuant to this section.

Sec. 8. AGENCY NO. 5 - SUPREME COURT

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

	FY2013-14	FY2014-15
GENERAL FUND	10,573,145	10,595,576
PROGRAM TOTAL	10,573,145	10,595,576
SALARY LIMIT	9,024,474	9,024,474

Sec. 9. AGENCY NO. 5 - SUPREME COURT

Program No. 7 - County Court Judges' Salaries

	FY2013-14	FY2014-15
GENERAL FUND	8,951,950	8,971,368
PROGRAM TOTAL	8,951,950	8,971,368
SALARY LIMIT	7,601,090	7,601,090

Sec. 10. AGENCY NO. 7 - GOVERNOR

Program No. 2 - Salary - Governor

	FY2013-14	FY2014-15
GENERAL FUND	142,849	142,849
PROGRAM TOTAL	142,849	142,849
SALARY LIMIT	105,000	105,000

Sec. 11. AGENCY NO. 8 - LIEUTENANT GOVERNOR

Program No. 8 - Salary - Lieutenant Governor

	FY2013-14	FY2014-15
GENERAL FUND	108,716	108,716
PROGRAM TOTAL	108,716	108,716
SALARY LIMIT	75,000	75,000

Sec. 12. AGENCY NO. 9 - SECRETARY OF STATE

Program No. 9 - Salary - Secretary of State

	FY2013-14	FY2014-15
GENERAL FUND	113,944	113,944
PROGRAM TOTAL	113,944	113,944
SALARY LIMIT	85,000	85,000

Sec. 13. AGENCY NO. 10 - AUDITOR OF PUBLIC ACCOUNTS

Program No. 10 - Salary - Auditor of Public Accounts

	FY2013-14	FY2014-15
GENERAL FUND	117,694	117,694
PROGRAM TOTAL	117,694	117,694
SALARY LIMIT	85,000	85,000

Sec. 14. AGENCY NO. 11 - ATTORNEY GENERAL  
 Program No. 11 - Attorney General's Salary

	FY2013-14	FY2014-15
GENERAL FUND	129,913	129,913
PROGRAM TOTAL	129,913	129,913
SALARY LIMIT	95,000	95,000

Sec. 15. AGENCY NO. 12 - STATE TREASURER  
 Program No. 12 - Salary - State Treasurer

	FY2013-14	FY2014-15
GENERAL FUND	120,018	120,018
PROGRAM TOTAL	120,018	120,018
SALARY LIMIT	85,000	85,000

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

	FY2013-14	FY2014-15
GENERAL FUND	487,351	487,351
PROGRAM TOTAL	487,351	487,351
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

	FY2013-14	FY2014-15
GENERAL FUND	522,595	532,718
PROGRAM TOTAL	522,595	532,718
SALARY LIMIT	390,778	399,568

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

	FY2013-14	FY2014-15
GENERAL FUND	194,343	198,278
PROGRAM TOTAL	194,343	198,278
SALARY LIMIT	150,471	153,857

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 additional funds 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

	FY2013-14	FY2014-15
CASH FUND	1,109,083	1,109,083
PROGRAM TOTAL	1,109,083	1,109,083
SALARY LIMIT	942,862	942,862

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

	FY2013-14	FY2014-15
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 FY2013-14 shall be increased by certified encumbrance amounts from FY2012-13 for permanent and temporary salaries and per diems. The limitation on expenditures for permanent and temporary salaries and per diems for FY2014-15 shall be increased by certified encumbrance amounts from FY2013-14 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, 2013.

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