

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 744

FINAL READING

Introduced by Aguilar, 35.

Read first time January 09, 2008

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state government; to amend section
2 81-1108.17, Revised Statutes Cumulative Supplement, 2006;
3 to authorize leases of state property as prescribed; and
4 to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-1108.17, Revised Statutes
2 Cumulative Supplement, 2006, is amended to read:

3 81-1108.17 (1) The Department of Administrative Services
4 shall be the custodian of the state laboratory and laboratory
5 grounds, the Governor's Mansion and grounds, and all other
6 buildings and lands owned or leased by the State of Nebraska except
7 as exempted under subsections (5) and (6) of section 81-1108.15
8 or as provided in the Nebraska State Capitol Preservation and
9 Restoration Act.

10 (2) To aid in the performance of his or her duties, the
11 Director of Administrative Services shall appoint an administrator.
12 The administrator, under the direction of the director, shall have
13 complete control and all powers necessary to properly maintain the
14 state laboratory and laboratory grounds, the Governor's Mansion and
15 grounds, and all other buildings and lands owned or leased by the
16 State of Nebraska except as exempted under subsections (5) and (6)
17 of section 81-1108.15 or as provided in the Nebraska State Capitol
18 Preservation and Restoration Act.

19 (3) Except as provided in the act, the administrator,
20 under the direction of the director, is authorized to (a) lease
21 space or provide facilities for the parking of state officers'
22 and employees' vehicles as well as state-owned vehicles, and (b)
23 lease, rent, or permit for use as apartments, dwellings, offices,
24 and parking areas any or all of the property acquired for parking
25 or for future building needs, and (c) lease state property to the

1 federal government or political subdivisions of the state using the
2 system of charges in subsection (4) of this section. All leases
3 shall contain the provision that upon notice that such property
4 is needed for public use, the use or occupancy of the property
5 shall cease. All money received as rent from any property acquired
6 shall be remitted to the State Treasurer and credited to the State
7 Building Revolving Fund, except that receipts from parking charges
8 for employee, public, and state vehicle parking shall be credited
9 to the Capitol Buildings Parking Revolving Fund, which fund is
10 hereby created, for the purposes of providing and maintaining
11 parking for state employees and visitors.

12 (4) The system of charges for state buildings and
13 facilities shall include an amount sufficient to (a) accurately
14 reflect operating costs, including routine maintenance and repair
15 costs, and (b) fund building renewal projects under the Deferred
16 Building Renewal Act and renovation, remodeling, and repair
17 projects beyond the scope of the act. The proceeds received
18 under subdivision (a) of this subsection shall be remitted to the
19 State Treasurer for credit to the State Building Revolving Fund.
20 The proceeds received under subdivision (b) of this subsection
21 shall be remitted to the State Treasurer for credit to the State
22 Building Renewal Assessment Fund. The administrator shall develop
23 a system of equitable billings and charges for parking facilities
24 under his or her control and used by state employees and state
25 vehicles. The system of charges shall include an amount sufficient

1 to cover the operating, maintenance, and repair costs associated
2 with the parking facilities. The administrator, under policies and
3 procedures established by the Director of Administrative Services,
4 may expend funds from time to time credited to the Capitol
5 Buildings Parking Revolving Fund for the purposes of obtaining,
6 operating, and maintaining parking facilities for employees and
7 visitors. All money derived from any source other than that to
8 be credited to the State Building Revolving Fund, the Capitol
9 Buildings Parking Revolving Fund, the Department of Administrative
10 Services Cash Fund, the State Building Renewal Assessment Fund, or
11 other appropriate revolving fund shall be remitted to the State
12 Treasurer and credited to the General Fund.

13 (5) The administrator shall see that all parts and
14 apartments of the buildings leased are properly ventilated and kept
15 clean and in order.

16 (6) The administrator shall at all times have charge
17 of and supervision over the police, janitors, and other employees
18 in and about the state laboratory and laboratory grounds, the
19 Governor's Mansion and grounds, and all other buildings and lands
20 owned or leased by the State of Nebraska except as exempted under
21 subsections (5) and (6) of section 81-1108.15 or as provided in
22 the Nebraska State Capitol Preservation and Restoration Act. The
23 administrator shall institute, in the name of the state and with
24 the advice of the Attorney General, civil and criminal proceedings
25 against any person for injury or threatened injury to any public

1 property in the state laboratory and laboratory grounds, the
2 Governor's Mansion and grounds, and all other buildings and lands
3 owned or leased by the State of Nebraska under his or her control,
4 or for committing or threatening to commit a nuisance in or on the
5 buildings or lands.

6 (7) The administrator shall keep in his or her office
7 a complete record containing all plans and surveys of the state
8 laboratory and grounds, the Governor's Mansion and grounds, and all
9 other buildings and lands owned or leased by the State of Nebraska
10 and of underground construction under such buildings and lands.
11 This subsection shall not apply to the State Capitol and capitol
12 grounds.

13 Sec. 2. Original section 81-1108.17, Revised Statutes
14 Cumulative Supplement, 2006, is repealed.