

LEGISLATIVE BILL 320

Approved by the Governor May 21, 2007

Introduced by Speaker Flood, 19; at the request of the Governor

FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements; to provide an operative date; and to declare an emergency.

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

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundredth Legislature, First or Second Session, which appropriates funds, FY2006-07 means the period July 1, 2006, through June 30, 2007, FY2007-08 means the period July 1, 2007, through June 30, 2008, FY2008-09 means the period July 1, 2008, through June 30, 2009, FY2009-10 means the period July 1, 2009, through June 30, 2010, and FY2010-11 means the period July 1, 2010, through June 30, 2011.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2007-08 and FY2008-09, the sums set forth in this act to each agency for each program from the respective funds for capital construction projects, land acquisition, lease-purchase arrangements, and major equipment acquisition, except as otherwise appropriated.

Sec. 3. REAPPROPRIATION OF BALANCE, FY2007-08 to FY2008-09.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2008, for FY2008-09 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 4. 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.

Sec. 5. 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.

Sec. 6. It is the intent of the Legislature that the appropriations for capital facilities follow an orderly and reasonable process based upon defined and documented need and an analysis of the utilization of existing facilities.

The biennial appropriations contained in this act covering FY2007-08 and FY2008-09, which have been designated for planning, require from the agency a complete program statement prepared in accordance with the Procedural Manual for Capital Construction as approved by the state building division of the Department of Administrative Services. Projects directly related to program continuation such as fire and life safety, maintenance, utility improvements, handicapped access, and master planning require a statement of needs prepared in accordance with the manual. An appropriation for drawings and construction may be recommended only after submission of an acceptable program statement or statement of needs on or before September 15 to the state building division, the budget division of the Department of Administrative Services, and the Legislative Fiscal Analyst.

Program statements that have been submitted prior to FY2007-08 shall be updated if necessary and resubmitted during the period July 1, 2007, to September 1, 2007. Program statements that have been submitted prior to FY2008-09 shall be updated if necessary and resubmitted during the period July 1, 2008, to September 1, 2008, by agency priority. Such priority shall be subject to final modification by the governing authority of each agency on or before September 15, 2008.

Sec. 7. It is the intent of the Legislature that agencies should construct or renovate facilities in such a manner as to provide the greatest cost-effective energy savings possible. Design criteria emphasizing efficiency, functionality, and energy conservation shall be reflected in program statements, schematic design documents, design development documents, and construction documents. The state building division of the Department of Administrative Services and the State Energy Office shall provide technical assistance to the state agencies, upon request, to assist them in providing

for energy-efficient new or renovated facilities.

Sec. 8. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES.

Pursuant to the provisions of section 85-408 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for the expenditure of \$2,241,300 from bond surplus funds for window replacement for the Abel-Sandoz Residence Hall Complex at the University of Nebraska-Lincoln campus.

Sec. 9. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION FACILITIES EXPENDITURES.

Pursuant to the provisions of section 85-404 and a recommendation for approval by the Coordinating Commission for Postsecondary Education, the Legislature hereby approves the request by the University of Nebraska for a \$32,000,000 revenue bond issuance to finance a three-hundred-eighty-four-bed student housing complex and a nine-hundred-stall parking structure on the University of Nebraska at Omaha Dodge Campus.

Sec. 10. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN SERVICES
Program No. 924 - Parking Lots

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 300,000 | -0- | -0- |
| PROGRAM TOTAL | 300,000 | -0- | -0- |

The appropriation contained in this program is intended for the resurfacing of streets and parking lots on the grounds of the Grand Island Veterans' Home. There shall be no further appropriation for this project.

Sec. 11. AGENCY NO. 27 - DEPARTMENT OF ROADS
Program No. 901 - Facility Improvements

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 5,000,000 | 5,000,000 | -0- |
| PROGRAM TOTAL | 5,000,000 | 5,000,000 | -0- |

The Department of Roads is hereby authorized to make improvements statewide. There is included in the appropriation to this program for FY2007-08 \$5,000,000 cash funds and for FY2008-09 \$5,000,000 cash funds to make such improvements. It is intended that the following projects be undertaken with funds appropriated to this program:

Purchase of property with existing buildings-no modifications required - Alliance

- Office-Shop-Equip Storage Bldg, Salt Storage, New Yard - Gretna
- Planning for Building Projects - Statewide
- District Oper Ctr-Office Addition - Grand Island
- Office-Shop-Equip Storage Bldg - Valentine
- Office-Shop-Equip Storage, Salt Storage - Holdrege
- Office-Shop-Equip Storage, Salt Storage - Wallace
- Equipment Storage Bldg - Greenwood
- Bulk Salt Storage - Statewide

Expenditures by the Department of Roads during the 2007-09 biennium for the preparation of future biennial program statements and future project planning expenses shall not exceed an aggregate total of \$250,000.

Sec. 12. AGENCY NO. 28 - DEPARTMENT OF VETERANS' AFFAIRS
Program No. 937 - Alliance State Veterans' Cemetery

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| FEDERAL FUND est. | 4,400,000 | -0- | -0- |
| PROGRAM TOTAL | 4,400,000 | -0- | -0- |

The Legislature hereby acknowledges and reaffirms the directive made in Laws 2006, LB 996, section 1 and LB 996A, section 1, which authorizes the Department of Veterans' Affairs to carry out the provisions of Legislative Bill 996, Ninety-ninth Legislature, Second Session, 2006. The total cost of this project from the State Building Fund shall not exceed \$75,000.

There is included in this appropriation to this program for FY2007-08 an estimated \$4,400,000 from federal funds to complete this project.

The funds appropriated from the State Building Fund to this project

may be used as a match for available federal or other funds. Nothing in this section shall be construed so as to prohibit the use of any private, local funds as a match for any available federal or other funds.

Sec. 13. AGENCY NO. 31 - MILITARY DEPARTMENT

Program No. 910 - Beal Slough Flood Improvement Project

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 225,000 | 610,000 | -0- |
| FEDERAL FUND est. | 675,000 | 5,490,000 | -0- |
| PROGRAM TOTAL | 900,000 | 6,100,000 | -0- |

The Nebraska Emergency Management Agency and the Department of Correctional Services are hereby authorized to participate through an interlocal agreement with the city of Lincoln, Nebraska, and the Lower Platte South Natural Resources District in making drainage improvements to Beal Slough for the purpose of flood-proofing the Nebraska State Penitentiary's Central Utility Plant and removing the Nebraska State Penitentiary complex from the one-hundred-year flood plain. The total project cost paid by the state shall not exceed \$835,000 from the Nebraska Capital Construction Fund or \$6,165,000 from federal hazard mitigation funds.

There is included in the appropriation to this program for FY2007-08 \$225,000 from the Nebraska Capital Construction Fund and \$675,000 from federal hazard mitigation funds for Part One of the project which shall only be used by the Nebraska Emergency Management Agency, in consultation with the Director of Correctional Services, for the state's cost of flood-proofing the Nebraska State Penitentiary's Central Utility Plant. The Adjutant General as director of the Nebraska Emergency Management Agency, with the approval of the Director of Correctional Services, may either directly administer this appropriation on behalf of the state with participation by the Department of Correctional Services or contract with the city of Lincoln and the Lower Platte South Natural Resources District to provide quarterly reimbursement of eligible costs actually paid on the project by the city of Lincoln and the Lower Platte South Natural Resources District pursuant to the interlocal agreement, as certified in writing each quarter by the city of Lincoln and the Lower Platte South Natural Resources District, to the Adjutant General as director of the Nebraska Emergency Management Agency, with seventy-five percent to be proportionately reimbursed from federal hazard mitigation funds and twenty-five percent to be proportionately reimbursed from the Nebraska Capital Construction Fund, but not to exceed a total reimbursement of \$900,000, to complete Part One of the project. All state expenditures for Part One of the project shall only be coded against budget subprogram 1.

There is included in the appropriation to this program for FY2008-09 \$610,000 from the Nebraska Capital Construction Fund and \$5,490,000 from federal hazard mitigation funds for Part Two of the project to complete the remainder of the Beal Slough flood improvement work which shall only be expended by the Nebraska Emergency Management Agency in conjunction with the Department of Correctional Services through an interlocal agreement with the city of Lincoln and the Lower Platte South Natural Resources District. The interlocal agreement shall designate the Lower Platte South Natural Resources District, the city of Lincoln, or both political subdivisions jointly, as the lead project manager for the design and construction of Part Two of the project. Pursuant to the interlocal agreement, the Nebraska Emergency Management Agency shall provide reimbursement of eligible costs actually paid and certified in writing to the Adjutant General as director of the Nebraska Emergency Management Agency, but not to exceed a total reimbursement of \$6,100,000, to complete Part Two of the project. All state expenditures for Part Two of the project shall only be coded against budget subprogram 2.

Part Two costs of the project shall be reimbursed on a quarterly basis beginning as soon as administratively possible on or after October 1, 2008, for eligible costs actually paid on the project by the city of Lincoln and the Lower Platte South Natural Resources District pursuant to the interlocal agreement, as certified in writing each quarter by the city of Lincoln and the Lower Platte South Natural Resources District, to the Adjutant General as director of the Nebraska Emergency Management Agency, with seventy-five percent to be proportionately reimbursed from federal hazard mitigation funds and eight and three-tenths percent to be proportionately reimbursed from the Nebraska Capital Construction Fund, but not to exceed a total reimbursement of \$6,100,000, to complete Part Two of the project,

except that no state funds or federal funds shall be expended or reimbursed on Part Two of this project until the Nebraska Emergency Management Agency and the Department of Correctional Services have entered into an interlocal agreement with the city of Lincoln, Nebraska, and the Lower Platte South Natural Resources District, and that a combined total of \$1,220,000 has been appropriated by the city of Lincoln and the Lower Platte South Natural Resources District and such funds are available to fully complete the Beal Slough Flood Improvement Project.

Sec. 14. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 900 - State Park System Facility Improvements

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 175,000 | 100,000 | -0- |
| PROGRAM TOTAL | 175,000 | 100,000 | -0- |

The Game and Parks Commission is hereby authorized to maintain and improve basic facilities of the state park system. There is included in the appropriation to this program for FY2007-08 \$100,000 cash funds and for FY2008-09 \$100,000 cash funds for this purpose.

The Game and Parks Commission is hereby authorized to develop new, maintain, and improve boating facilities. There is included in the appropriation to this program for FY2007-08 \$75,000 cash funds for this purpose.

Sec. 15. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 901 - State Parks Facilities Deferred Maintenance

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 300,000 | 300,000 | -0- |
| PROGRAM TOTAL | 300,000 | 300,000 | -0- |

The Game and Parks Commission is hereby authorized to make deferred repair and maintenance improvements at facilities in the state park system, and replace and upgrade facilities in the state park system, with the appropriation to this program.

Sec. 16. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 967 - Improvements to State Parks

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 1,155,000 | 966,000 | -0- |
| PROGRAM TOTAL | 1,155,000 | 966,000 | -0- |

The Game and Parks Commission is hereby authorized to make state parks improvements statewide with the appropriation to this program.

It is intended that the following projects be undertaken with funds appropriated to this program for FY2007-08:

| | |
|---------------------------------------|---------|
| Swimming Pool & Bath House - | 100,000 |
| Platte River State Park | |
| Contingency-State Parks - State | 55,000 |
| Ponca Cabin Dev - Ponca | 950,000 |
| Renovate Hist. Bldgs. - Fort Robinson | 50,000 |

It is intended that the following projects be undertaken with the funds appropriated to this program for FY2008-09:

| | |
|---------------------------------------|---------|
| Renovate Hist. Bldgs. - Fort Robinson | 100,000 |
| New Picnic Shelters - | 20,000 |
| Platte River State Park | |
| Contingency-State Parks - State | 46,000 |
| Ponca Cabin Dev - Ponca | 800,000 |

Sec. 17. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 969 - Improvements to State Recreation Areas

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 105,000 | 69,250 | -0- |
| PROGRAM TOTAL | 105,000 | 69,250 | -0- |

The Game and Parks Commission is hereby authorized to make state recreation area improvements statewide with the appropriation to this program.

It is intended that the following projects be undertaken with funds appropriated to this program for FY2007-08:

| | | | |
|-----------------------------------|--|--|---------|
| Contingency-Rec Areas - Statewide | | | 5,000 |
| Boat Slips - | | | 100,000 |
| Lewis & Clark Reservoir | | | |

It is intended that the following projects be undertaken with funds appropriated to this program for FY2008-09:

| | | | |
|-----------------------------------|--|--|--------|
| Contingency-Rec Areas - Statewide | | | 9,250 |
| Shower/Latrine Facility - | | | 60,000 |
| Willow Creek SRA | | | |

Sec. 18. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 971 - Improvements to Wildlife Management Areas

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 390,000 | 130,000 | -0- |
| PROGRAM TOTAL | 390,000 | 130,000 | -0- |

The Game and Parks Commission is hereby authorized to make improvements statewide to basic facilities at wildlife management areas.

It is intended that the following projects be undertaken with funds appropriated to this program for FY2007-08:

| | | | |
|---------------------------|--|--|---------|
| Improvements Statewide - | | | 260,000 |
| Wildlife Management Areas | | | |
| Campground Renovation - | | | 130,000 |
| Big Alkali Wildlife | | | |

Management Area

It is intended that the following projects be undertaken with funds appropriated to this program for FY2008-09:

| | | | |
|-------------------------|--|--|---------|
| Campground Renovation - | | | 130,000 |
| Big Alkali Wildlife | | | |

Management Area

Sec. 19. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 972 - Improvements to Administrative Facilities

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 79,200 | -0- | -0- |
| PROGRAM TOTAL | 79,200 | -0- | -0- |

The Game and Parks Commission is hereby authorized to construct an office and storage extension to the Alliance office building for fisheries staff.

Sec. 20. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 973 - Improvements to Fish Production Facilities

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 230,000 | -0- | -0- |
| PROGRAM TOTAL | 230,000 | -0- | -0- |

The Game and Parks Commission is hereby authorized to make fisheries improvements statewide, such as improvements to hatcheries and the acquisition and development of fishing access facilities, with the appropriation to this program.

Sec. 21. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 975 - Emergency Repairs to State Park System Areas

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 100,000 | 100,000 | -0- |
| PROGRAM TOTAL | 100,000 | 100,000 | -0- |

The Game and Parks Commission is hereby authorized to make emergency repairs to facilities in the state park system with the appropriation to this program.

Sec. 22. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 976 - Emergency Repairs - Fish and Wildlife Facilities

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 100,000 | -0- | -0- |
| PROGRAM TOTAL | 100,000 | -0- | -0- |

The Game and Parks Commission is hereby authorized to make emergency repairs to hatcheries, wildlife management areas, refuges, and other facilities related to fish and wildlife management with the appropriation to this program.

Sec. 23. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 980 - Canyon Ponds and Aquarium Renovation - Schramm State Recreation Area

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 250,000 | 250,000 | -0- |
| PROGRAM TOTAL | 250,000 | 250,000 | -0- |

The Game and Parks Commission is hereby authorized to make improvements to ponds, sidewalks, viewing areas, pond dams, and hatch house at the Schramm State Recreational Area. The Game and Parks Commission shall also incorporate ADA accessibility in these improvements to comply with the federal Americans with Disabilities Act of 1990.

There is included in this appropriation to this program for FY2007-08 \$250,000 and for FY2008-09 \$250,000 to complete this work.

Sec. 24. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 Program No. 981 - Aquatic Habitat Enhancement and Restoration

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 2,750,000 | 1,250,000 | -0- |
| PROGRAM TOTAL | 2,750,000 | 1,250,000 | -0- |

The Game and Parks Commission is hereby authorized to enhance and rehabilitate aquatic habitat statewide with the appropriation to this program.

Sec. 25. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 It is the intent of the Legislature that the Game and Parks Commission shall apply for and make maximum use of federal funding on all capital construction projects which are eligible for such assistance. It is the intent of the Legislature that all funds appropriated to the Game and Parks Commission for capital construction projects shall only be spent for the purpose of the original appropriation.

Sec. 26. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL SERVICES
 Program No. 920 - Correctional Industries Building Additions

| | FY2007-08 | FY2008-09 | FUTURE |
|----------------|-----------|-----------|--------|
| REVOLVING FUND | 1,200,000 | 2,645,000 | -0- |
| PROGRAM TOTAL | 1,200,000 | 2,645,000 | -0- |

The Department of Correctional Services is hereby authorized to renovate and build additions to correctional industries buildings at the Tecumseh State Correctional Institution, the Nebraska Correctional Center for Women at York, and the Omaha Correctional Center with the appropriation to

this program. The total project cost shall not exceed \$3,845,000.

There is included in the appropriation to this program for FY2007-08 \$1,200,000 from the Correctional Industries Revolving Fund to begin construction of these projects.

There is included in the appropriation to this program for FY2008-09 \$2,645,000 from the Correctional Industries Revolving Fund to complete the construction of these projects.

Sec. 27. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION

Program No. 901 - Satellite System

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 100,000 | 100,000 | -0- |
| PROGRAM TOTAL | 100,000 | 100,000 | -0- |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2000, LB 1217, section 32, which authorizes the Nebraska Educational Telecommunications Commission to replace Network 3 equipment with the appropriation to this program. This project should be completed in FY2008-09.

It is intended that for FY2007-08 and FY2008-09 funds appropriated to this program be used for Network 3 equipment replacement and other equipment replacement needs to include, but not be limited to, information technology equipment, transmission equipment, and production equipment.

Sec. 28. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION

Program No. 911 - Digitization (DTV) Equipment and Satellite Bandwidth Replacement

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|-----------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 5,700,000 | 5,700,000 | 4,692,327 |
| PROGRAM TOTAL | 5,700,000 | 5,700,000 | 4,692,327 |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 1999, LB 878, section 30, which authorizes the Nebraska Educational Telecommunications Commission (NETC) to digitize the NETC transmission signal and to replace satellite transponder capacity. This project should be completed in FY2009-10.

(1) The commission shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract or contracts in subsections (1) and (2) of this section, except that there may be pledged for payment of any such contract or contracts any appropriations made by the Legislature for such purpose. No contract or contracts shall be entered into pursuant to subsections (1) and (2) of this section without prior approval by resolution of the commission. The principal amount of the contract or contracts financing the digitization equipment project estimated to be retired by appropriations made to this program is \$23,500,000 and may include an estimated \$2,000,000 of digital upgrades or repairs to translators and an estimated \$2,200,000 of heating, ventilating, and air conditioning upgrades, and repairs associated with the installation of digital equipment upgrades at the Terry M. Carpenter Educational Telecommunications Building in Lincoln. The digitization equipment project may include the cost for collocation of transmission towers. The Legislature acknowledges that the total amount of the digitization production equipment project has not been provided for and encourages the commission to aggressively pursue alternative sources of funding for the remainder of the digitization production equipment project. The amount of the digitization equipment project not funded through this program is estimated at \$12,936,905. The principal amount of the contract or contracts financing the satellite transponder capacity replacement project is estimated at \$18,944,000.

(2) On or before August 31, 2010, any funds appropriated from the State Building Fund and the Nebraska Capital Construction Fund for the digitization equipment project and the satellite transponder capacity replacement project held in the state treasury and held by the trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General

Fund.

(3) The commission may expend funds appropriated to Program 533 to meet incidental administrative expenses associated with the digitization equipment project and the satellite transponder capacity replacement project. The commission may also expend federal funds and private gifts and donations for the same purposes.

(4) It is the intent of the Legislature that the Nebraska Educational Telecommunications Commission submit quarterly reports with regard to the costs and associated funding of the digitization equipment project as contained in Program 911, according to the procedures established by the Chief Information Officer (CIO).

Sec. 29. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION

Program No. 913 - Carpenter Telecommunications Center Renovation

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 1,738,671 | 1,488,671 | -0- |
| PROGRAM TOTAL | 1,738,671 | 1,488,671 | -0- |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2001, First Special Session, LB 1, section 15, which authorizes the Nebraska Educational Telecommunications Commission to renovate the Terry M. Carpenter Telecommunications Center. Funds are provided to upgrade the heating, ventilating, and air conditioning systems; to upgrade the mechanical and electrical systems; to address fire and life safety problems; and to address handicapped accessibility problems. The funding also provides renovation of some areas of the building that are currently of limited use and function, to include network operations space and dressing room reconfiguration; minor renovation of studios 3 and 4; and level 2 infill over studio 2 and the north side of the facility. The total project cost shall not exceed \$13,439,605, exclusive of financing costs.

Pursuant to provisions of this section and prior to May 23, 2005, the total project cost authorization has been increased by \$250,000. Within additional project expenditure authority granted, the commission may accommodate any current building renewal class 1 requests, the upgrade of stairwells, energy efficient lighting, exterior railings, the upgrade of first floor restrooms, wall treatments, storage space, classroom equipment, and lockable overhead storage space and files for employee workspaces. It is intended that current building renewal class 1 requests be given first priority in use of additional project expenditure authority granted pursuant to this section.

The commission may enter into long-term financing contracts with any person, firm, or corporation for purposes of the Carpenter Telecommunications Center Renovation. The payment of costs of the renovation may occur over a contract period not to extend beyond June 30, 2009. The commission shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contracts, except that there may be pledged for payment of any such contracts any appropriations made by the Legislature for such purpose. No contracts shall be entered into pursuant to this section without prior approval by resolution of the commission. The commission may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2009, any funds appropriated from the State Building Fund and the Nebraska Capital Construction Fund for the Carpenter Telecommunications Center Renovation held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund.

Sec. 30. AGENCY NO. 47 - NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION

Program No. 922 - Final DTV Transmitter Conversion

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|---------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | -0- | 250,000 | 900,000 |
| CASH FUND | 31,500 | 1,165,000 | -0- |

| | | | |
|--------------------|---------|-----------|---------|
| FEDERAL FUNDS est. | 116,150 | -0- | -0- |
| PROGRAM TOTAL | 147,650 | 1,415,000 | 900,000 |

The Nebraska Educational Telecommunications Commission is hereby authorized to complete the conversion of the existing NETC system to the new DTV system through upgrades to existing statewide transmission systems, translators, transmitters, and through the removal of antennas, transmission lines, and other outdated equipment associated with the conversion process.

There is included in the appropriation to this program for FY2007-08 \$31,500 from cash funds and \$116,150 from federal funds and for FY2008-09 \$250,000 from the Nebraska Capital Construction Fund and \$1,165,000 from cash funds. In addition to the amounts appropriated in this section, it is intended that \$450,000 be appropriated from the Nebraska Capital Construction Fund for FY2009-10 and \$450,000 be appropriated from the Nebraska Capital Construction Fund for FY2010-11 to complete the project.

Sec. 31. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 919 - State College Facilities Program

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------------|-----------|-----------|------------|
| STATE BUILDING FUND | 1,125,000 | 1,125,000 | 12,375,000 |
| REVOLVING FUND est. | 400,000 | 600,000 | 13,200,000 |
| PROGRAM TOTAL | 1,525,000 | 1,725,000 | 25,575,000 |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2006, LB 605, sections 5, 6, and 7, which authorizes the Board of Trustees of the Nebraska State Colleges to make expenditures from the State College Facilities Program exclusively for deferred maintenance, repair, and renovation projects outlined in section 6 of LB 605.

Sec. 32. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 920 - Board Facilities Fee Fund Projects

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 400,000 | 400,000 | -0- |
| REVOLVING FUND est. | 952,426 | 952,426 | -0- |
| PROGRAM TOTAL | 1,352,426 | 1,352,426 | -0- |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 1998, LB 1100, sections 6 and 7, which authorizes the Board of Trustees of the Nebraska State Colleges to complete various renewal and renovation projects on all state college campuses with the appropriation to this program.

Sec. 33. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 951 - South Sioux City Education Center

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 1,000,000 | 2,500,000 | -0- |
| PROGRAM TOTAL | 1,000,000 | 2,500,000 | -0- |

The Board of Trustees of the Nebraska State Colleges is hereby authorized to construct a joint-use educational facility in South Sioux City, Nebraska, in cooperation with the Board of Governors of the Northeast Community College Area. It is intended that the Northeast Community College Area supply funds for construction of the facility by virtue of its statutory authority in an amount, or amounts that in sum, at least equal state funds appropriated in this section. In addition to funds appropriated in this section and funds supplied by the Northeast Community College Area, federal, private, and other funds are authorized to be applied in meeting total project costs for the joint-use facility estimated at \$14,619,087, including

an estimated \$2,100,000 valuation of donated land.

Sec. 34. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

Program No. 998 - Peru State College Library/Old Gym Renovation and Wayne State College Power Plant Construction

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 2,009,360 | 2,009,360 | -0- |
| PROGRAM TOTAL | 2,009,360 | 2,009,360 | -0- |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 1999, LB 878, section 33, which authorizes the Board of Trustees of the Nebraska State Colleges to design, renovate, and construct as is necessary to provide quality library stack, circulation, classroom, and office space in the combined and connected Library and Old Gym facilities on the Peru State College campus. The total project cost to be supported from state funds is estimated as \$6,630,419. Nonstate tax funds may be used to supplement the project.

The Board of Trustees of the Nebraska State Colleges is hereby authorized to design and construct a plant to produce steam and chilled water to meet heating and cooling requirements of the Wayne State College campus. Should it prove to be in the greater long-term financial interest of the State of Nebraska and Wayne State College, the Board of Trustees is alternatively authorized to purchase and improve an existing steam and chilled water production facility to meet heating and cooling requirements of the Wayne State College campus. Prior to exercising its authority to undertake either alternative under provisions of this section, the Board of Trustees shall secure the approval of the Governor. The total project cost to be supported from state funds is estimated as \$3,803,877. Nonstate tax funds may be used to supplement the project.

The Board of Trustees may enter into long-term financing contracts with any person, firm, or corporation for purposes of the Peru State College Library/Old Gym Renovation and Addition project and the Wayne State College Power Plant Construction project. The payments of costs of the renovation may occur over a contract period not to extend beyond June 30, 2009. The Board of Trustees shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contracts, except that there may be pledged for payment of any such contracts any appropriations made by the Legislature for such purpose. No contracts shall be entered into pursuant to this section without prior approval by resolution of the Board of Trustees. The Board of Trustees may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2009, any funds appropriated from the State Building Fund and the Nebraska Capital Construction Fund for the projects held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund.

Sec. 35. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 906 - System Facilities Fee Fund Projects

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|------------|------------|-----------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 5,500,000 | 5,500,000 | -0- |
| CASH FUND est. | 5,200,000 | 5,200,000 | 5,200,000 |
| PROGRAM TOTAL | 10,700,000 | 10,700,000 | 5,200,000 |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 1998, LB 1100, sections 3 and 4, which authorizes the Board of Regents of the University of Nebraska to complete various renewal and renovation projects on all university campuses with the appropriation to this program.

Sec. 36. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 915 - Agricultural Field Laboratory Fund

| | FY2007-08 | FY2008-09 | FUTURE |
|----------------|-----------|-----------|--------|
| CASH FUND est. | 219,267 | 8,500 | 8,500 |

PROGRAM TOTAL 219,267 8,500 8,500

All receipts of the Agricultural Field Laboratory Fund are hereby appropriated to the Board of Regents of the University of Nebraska for the University of Nebraska-Lincoln for FY2007-08 and FY2008-09. The unexpended balances in the fund on June 30, 2007, and on June 30, 2008, are hereby reappropriated.

Sec. 37. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 920 - University of Nebraska Facilities Program

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------------|-----------|------------|-------------|
| STATE BUILDING FUND | 5,500,000 | 5,500,000 | 121,000,000 |
| CASH FUND est. | 3,260,000 | 4,890,000 | 111,220,000 |
| PROGRAM TOTAL | 8,760,000 | 10,390,000 | 232,220,000 |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2006, LB 605, sections 2, 3, and 4, which authorizes the Board of Regents to make expenditures from appropriated funds for the University of Nebraska Facilities Program exclusively for deferred maintenance, repair, renovation, facility renovation, and facility replacement projects as outlined in section 3 of LB 605.

Sec. 38. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 937 - Agricultural Research Land - University of Nebraska-Lincoln

| | FY2007-08 | FY2008-09 | FUTURE |
|----------------|-----------|-----------|--------|
| CASH FUND est. | 665,156 | 50,000 | 52,000 |
| PROGRAM TOTAL | 665,156 | 50,000 | 52,000 |

The Board of Regents of the University of Nebraska is hereby authorized to sell, pursuant to law and on terms and conditions to be prescribed by the board, real estate which has been used for agricultural research by the University of Nebraska when such functions are transferred to other lands more suitable for agricultural research programs.

All proceeds from the sale of such real estate along with any unexpended balances existing on June 30, 2007, and on June 30, 2008, together with accrued interest, if any, are hereby appropriated to the Board of Regents of the University of Nebraska to the Agricultural Research Land Fund to be used exclusively for the acquisition, development, and improvement of other real estate for the agricultural research programs of the University of Nebraska.

Sec. 39. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

Program No. 989 - College of Public Affairs and Community Services Engineering Building Renovation

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 9,572,500 | -0- | -0- |
| PROGRAM TOTAL | 9,572,500 | -0- | -0- |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2005, LB 424, section 38, which authorizes the Board of Regents of the University of Nebraska to renovate the Engineering Building at the University of Nebraska at Omaha for the College of Public Affairs and Community Services. The total project cost is estimated at \$14,200,000.

The Board of Regents of the University of Nebraska shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriation specifically made by the Legislature for such purpose, together with such funds of the Board of Regents of the University of Nebraska as the board determines. No contract shall be entered into pursuant to this section without prior approval by resolution by the Board of Regents. The Board of Regents may also convey, lease, or lease back all or any part of the project authorized by this section and the land on which such project is situated to such person, firm, or corporation as the Board of Regents may contract with pursuant to this section to facilitate the long-term payment of the cost of such project. Any such conveyance or lease shall provide that when the cost of such project has been paid, together with

interest and other costs thereon, such project and the land on which such project is located shall become the property of the Board of Regents.

Sec. 40. AGENCY NO. 54 - NEBRASKA STATE HISTORICAL SOCIETY

Program No. 954 - Life Safety ADA Improvements, Headquarters Building at 1500 R Street, Lincoln

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 200,000 | 6,000,000 | -0- |
| CASH FUND | -0- | 1,500,000 | -0- |
| PROGRAM TOTAL | 200,000 | 7,500,000 | -0- |

The Nebraska State Historical Society is hereby authorized to renovate the Society's Headquarters Building at 1500 R Street, Lincoln, Nebraska. Funds are provided to upgrade the heating, ventilating, and air conditioning systems, mechanical systems, and related electrical systems, including interior demolition and new construction, upgrading existing interior stairwells, the construction of two exterior stair towers to address fire and life safety problems between the stack areas and office areas, and to address handicapped accessibility problems.

The Nebraska State Historical Society may spend up to \$200,000 from the Nebraska Capital Construction Fund for FY2007-08 for planning documents up to the design development phase, as defined in the Department of Administrative Services State Building Division's Procedural Manual for Capital Construction Projects.

It is the intent of the Legislature that any costs in excess of the appropriated Nebraska Capital Construction Fund amount be raised through private funding initiatives conducted by the Nebraska State Historical Society or in conjunction with the Nebraska State Historical Society Foundation.

Sec. 41. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 901 - State Capitol Improvements

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|-----------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 1,000,000 | 1,000,000 | 2,000,000 |
| PROGRAM TOTAL | 1,000,000 | 1,000,000 | 2,000,000 |

(1) The State Capitol Administrator is hereby authorized to undertake projects identified within the Master Plan for the Conservation and Restoration of the Nebraska State Capitol. Prior to expending any amounts appropriated in this section, the State Capitol Administrator shall identify projects planned to be undertaken with such amounts and shall submit such plans to the Nebraska Capitol Commission for approval. There is included in the appropriation to this program \$1,000,000 for FY2007-08 and \$1,000,000 for FY2008-09 from the Nebraska Capital Construction Fund for such purpose. Of the amount appropriated for FY2007-08, not less than \$500,000 shall be allocated for conservation and restoration of the George W. Norris Chamber. Of the amount appropriated for FY2008-09, not less than \$150,000 shall be allocated for conservation and restoration of other Capitol space occupied by the Legislature.

(2) In addition to amounts appropriated in this section for FY2007-08 and FY2008-09, it is intended that \$1,000,000 be appropriated from the Nebraska Capital Construction Fund for this program for each of FY2009-10 and FY2010-11 to undertake projects identified within the Master Plan for the Conservation and Restoration of the Nebraska State Capitol. Of such amounts to be appropriated, not less than \$150,000 each year shall be allocated for conservation and restoration of Capitol space occupied by the Legislature.

Sec. 42. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 913 - Parking Expansion

| | FY2007-08 | FY2008-09 | FUTURE |
|----------------|-----------|-----------|-----------|
| REVOLVING FUND | 323,304 | 323,304 | 2,343,954 |
| PROGRAM TOTAL | 323,304 | 323,304 | 2,343,954 |

The Legislature hereby acknowledges and reaffirms the directive

made by Laws 1996, LB 1189, section 53, which authorized the Department of Administrative Services to construct two additional levels of parking to the state's east garage in Lincoln and one additional level of parking to the state's south garage in Lincoln, along with related repair and restoration items, and which authorized the state building division of the Department of Administrative Services to enter into contracts with the city of Lincoln or any person, firm, or corporation in order to construct such additional parking and to proceed with financing the project for a period not to exceed twenty years.

There is included in the appropriation to this program for FY2007-08 \$323,304 from the Capitol Buildings Parking Revolving Fund and for FY2008-09 \$323,304 from the Capitol Buildings Parking Revolving Fund to be applied toward retirement of obligations entered into to finance the projects. These obligations are scheduled to continue through September of 2016.

Sec. 43. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 920 - Executive Office Building and Parking Facility

Purchase

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------------------|-----------|-----------|-----------|
| STATE BUILDING REVOLVING FUND | 210,764 | 210,764 | 1,391,043 |
| PROGRAM TOTAL | 210,764 | 210,764 | 1,391,043 |

The Legislature hereby acknowledges and reaffirms the directive made by Laws 1999, LB 878, section 54, which authorized the Department of Administrative Services to purchase the Executive Office Building and the parking facility located at the corner of 13th and K Streets in Lincoln, Nebraska. The department was further authorized to enter into a contract or contracts with such entity or entities as necessary to facilitate financing the purchase.

In addition to the amounts appropriated in this section, it is intended that \$210,764 be appropriated from the State Building Revolving Fund for this program for each fiscal year thereafter until the amount financed to facilitate purchase of these premises has been fully amortized.

Sec. 44. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 924 - Capitol Parking Study

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|--------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 90,000 | -0- | -0- |

The State Building Administrator shall compile a comprehensive study of parking needs as they relate to the State Capitol and other state facilities in proximity to it. The study shall address needs associated with public as well as employee parking and shall identify current state parking facilities in proximity to the State Capitol and provide an analysis of their capacity and utilization. The study shall examine a range of options to provide for additional public and employee parking in proximity to the State Capitol and identify alternative site locations for additional parking facilities to serve the State Capitol and other state facilities in proximity to it. The study shall also examine and identify potential sources of funds that may be available to finance additional parking facilities within proximity to the State Capitol.

Sec. 45. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 933 - Acquisition of Property within and in close proximity to the Capitol Environs District

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|------------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 1,220,000 | -0- | 10,980,000 |
| PROGRAM TOTAL | 1,220,000 | -0- | 10,980,000 |

(1) Subject to provisions of subdivision (3) of section 81-1107, the Department of Administrative Services is hereby authorized to acquire property located within the Nebraska State Capitol Environs District, or in proximity to it, as such property becomes available. The Department of Administrative Services is also authorized to enter into long-term financial agreements in order to acquire such property. Prior to finalization of any

long-term financing agreements, the Governor's approval shall be obtained. Such long-term agreements shall not extend beyond June 30, 2014. There is included in the appropriation to this program for FY2007-08 \$1,220,000 from the Nebraska Capital Construction Fund for such purpose.

(2) In addition to amounts otherwise appropriated in this section, the Department of Administrative Services is hereby authorized to expend up to an additional \$2,100,000 of interest earnings accruing to the Nebraska Capital Construction Fund for purposes authorized in subsection (3) of this section. There is hereby appropriated \$2,100,000 from the Nebraska Capital Construction Fund for FY2007-08 for purposes authorized in subsection (3) of this section.

(3) In addition to the purchase of property, the Department of Administrative Services may use the additional interest earnings to purchase moveable and fixed equipment, pay for moving costs associated with moving agencies into any building which is acquired, pay for rental expenses associated with moving agencies into any building which is acquired, and defray any miscellaneous associated costs of moving agencies into any building which is acquired.

(4) In addition to amounts appropriated in this section for FY2007-08 and FY2008-09, it is intended that a minimum of \$10,980,000 be appropriated from the Nebraska Capital Construction Fund for this program for future years, from FY2009-10 through FY2013-14 as necessary to complete the purchase.

Sec. 46. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 935 - Nebraska Public Safety Communication System Towers and Network Equipment Financing

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------------|-----------|-----------|-----------|
| STATE BUILDING FUND | 1,525,822 | 1,525,822 | 7,629,110 |
| PROGRAM TOTAL | 1,525,822 | 1,525,822 | 7,629,110 |

The Chief Information Officer is authorized to enter into a seven-year master lease financing agreement through the Department of Administrative Services for costs of radio towers and network equipment associated with implementing the Nebraska Public Safety Communication System. The total project cost, including financing, shall not exceed \$10,680,754. It is the intent of the Legislature that any excess appropriations not otherwise required to repay the cost of the seven-year-master-lease financing shall not be spent and shall be available for lapse by the Legislature.

There is included in the appropriation to this program for FY2007-08 \$1,525,822 from the State Building Fund to begin repayment of project financing.

There is included in the appropriation to this program for FY2008-09 \$1,525,822 from the State Building Fund to continue repayment of project financing.

It is the intent of the Legislature to appropriate \$1,525,822 from the State Building Fund each fiscal year thereafter through FY2013-14 to complete repayment of project financing.

Sec. 47. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 939 - State Capitol Complex

| | FY2007-08 | FY2008-09 | FUTURE |
|-------------------|-----------|-----------|-----------|
| NEBRASKA CAPITAL | | | |
| CONSTRUCTION FUND | 8,676,033 | 8,261,013 | 6,809,014 |
| PROGRAM TOTAL | 8,676,033 | 8,261,013 | 6,809,014 |

The Legislature hereby acknowledges and reaffirms the directives made by Laws 1997, LB 386, section 55, which authorized the State Capitol Masonry Restoration project. The Legislature further acknowledges and reaffirms provisions of the Nebraska State Capitol Preservation and Restoration Act which assign responsibility for administration of the project to the Office of the Nebraska Capitol Commission.

There is included in the appropriation to this program for FY2007-08 \$8,676,033 from the Nebraska Capital Construction Fund to continue the project. There is included in the appropriation to this program for FY2008-09 \$8,261,013 from the Nebraska Capital Construction Fund to continue the project. In addition to amounts appropriated in this section for FY2007-08 and FY2008-09, it is intended that \$6,809,014 be appropriated from the Nebraska Capital Construction Fund for FY2009-10. The project should be completed in

FY2009-10.

Sec. 48. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
 Program No. 940 – Task Force for Building Renewal

| | FY2007-08 | FY2008-09 | FUTURE |
|---------------|------------|------------|------------|
| CASH FUND | 23,936,784 | 24,305,122 | 52,033,878 |
| PROGRAM TOTAL | 23,936,784 | 24,305,122 | 52,033,878 |

The Legislature hereby acknowledges and reaffirms the directive made by section 77-2602, which is to place amounts from the special privilege tax on cigarettes in the Building Renewal Allocation Fund for FY1997-98 and continuing each fiscal year until all the purposes of the Deferred Building Renewal Act have been fulfilled.

The appropriation to this program is for the purpose of carrying out the provisions of the Deferred Building Renewal Act which includes deferred repair, fire and life safety projects, and compliance with the federal Americans with Disabilities Act (ADA) of 1990. Funds may also be spent on projects related to energy conservation. There is hereby appropriated any available federal funds, plus investment income thereon, for this program for FY2007-08 and FY2008-09. There is included in the appropriation to this program for FY2007-08 an amount not to exceed \$200,000 cash funds and for FY2008-09 an amount not to exceed \$200,000 cash funds to conduct maintenance, life safety, ADA, and energy conservation seminars, to develop preventive maintenance programs, and to perform roof scans and other testing related to the completion of the projects.

The funds appropriated in this section for actual deferred repair, fire and life safety, compliance with the federal Americans with Disabilities Act of 1990, and energy conservation shall be matched by federal, private, and agency General, Cash, and Revolving Funds as determined by the Task Force for Building Renewal.

None of the funds appropriated to this program shall be used for operating budget compliance with the federal Americans with Disabilities Act of 1990. Expenditures for deferred repair, fire and life safety projects, and compliance with the federal Americans with Disabilities Act of 1990 may be made through the same program on the Allotment Status Report in the Nebraska Information System, except that expenditures for deferred repair, fire and life safety projects, and compliance with the federal Americans with Disabilities Act of 1990 should each be kept separate by subprogram on the Budget Status Report in the Nebraska Information System or through the use of the Grant Project Status Report or some other accounting mechanism.

Sec. 49. There is hereby appropriated, unless otherwise specified, for FY2007-08 and for FY2008-09 from undisbursed balances existing on June 30, 2007, and on June 30, 2008, respectively, to each agency for each program from the respective funds for capital construction as follows:

(1) Agency No. 25 – Department of Health and Human Services

Program Nos. 906, 922, 923, 924, and 931.

(2) Agency No. 27 – Department of Roads

Program No. 901, except that the unobligated biennium appropriation balance shall lapse once all projects funded in that biennium are completed, postponed to a future biennium, or indefinitely postponed.

(3) Agency No. 28 – Department of Veterans' Affairs

Program No. 937 – Alliance State Veterans' Cemetery.

(4) Agency No. 31 – Military Department

Program Nos. 905, 906, and 925.

(5) Agency No. 33 – Game and Parks Commission

Program Nos. 900, 901, 902, 919, 924, 955, 960, 961, 969, 971, 972, 973, 975, 976, 977, 979, 981, and 983, except that for FY2007-08 only the undisbursed balances existing on June 30, 2007, for the following programs and projects shall be reappropriated and all other unobligated June 30, 2007, balances shall lapse:

Program No. 900 – State Park System Facility Improvements and Motor Boat Access Facilities

Program No. 901 – State Facilities Deferred Maintenance

Program No. 902 – Trail Development Assistance

Program No. 919 – Political Subdivisions Aid

Program No. 924 – Wildlife Land Acquisitions and Improvements, less \$323,041.64 of unobligated Federal Fund appropriation authority

Program No. 955 – Youth Outdoor Skill Training

Program No. 960 – Park and Recreation Land Acquisition, including the purchase of land for a new maintenance facility to replace the facility

located at 30th and Y Streets in Lincoln

Program No. 961 - Lewis and Clark Commemorative Special Projects

Program No. 969 - State Recreation Areas

Program No. 971 - Wildlife Management Areas - Improvements

Program No. 972 - Administrative Facilities - Improvements

Program No. 973 - Fish production

Program No. 975 - Emergency Repairs - Park System

Program No. 976 - Emergency Repairs to Fish and Wildlife Facilities

Program No. 977 - Nongame and Endangered Species Land Acquisition and Development

Program No. 979 - Cowboy Trail - Emergency Repairs and Deferred Maintenance, provided that deferred repair projects may be addressed from the unobligated construction appropriations in this program

Program No. 981 - Aquatic Habitat - Improvements

Program No. 983 - Buffalo Soldier Barracks.

(6) Agency No. 46 - Department of Correctional Services

Programs Nos. 915, 916, 918, and 920.

(7) Agency No. 47 - Nebraska Educational Telecommunications Commission

Program Nos. 901, 911, 913, 919, 925, and 926.

(8) Agency No. 50 - Board of Trustees of the Nebraska State Colleges
Program Nos. 901, 919, 920, 934, 940, 941, 945, 946, 950, 951, 952, and 998, and any additional construction programs administratively created relating to the Board of Trustees of the Nebraska State Colleges and its campuses which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.

(9) Agency No. 51 - University of Nebraska

Program Nos. 901, 902, 905, 906, 907, 908, 911, 913, 915, 916, 917, 918, 919, 920, 926, 932, 933, 934, 936, 937, 938, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 953, 954, 955, 956, 957, 958, 960, 961, 963, 965, 966, 967, 969, 970, 971, 973, 974, 982, 985, 989, 990, 994, and 997, and any additional construction programs administratively created relating to the University of Nebraska-Lincoln, the University of Nebraska at Omaha, the University of Nebraska Medical Center, the University of Nebraska at Kearney, the Nebraska College of Technical Agriculture at Curtis, and the University of Nebraska Central Administration which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.

(10) Agency No. 65 - Department of Administrative Services

Program Nos. 901, 913, 920, 932, 933, 935, 939, and 940.

Appropriations to program numbers pertaining to funding for the Deferred Building Renewal Act are hereby reappropriated.

Sec. 50. FEDERAL FUNDS

Any federal funds not otherwise appropriated, any additional federal funds made available to the credit of the State Treasurer, and any unexpended balances in federal funds on the operative date of this act are hereby appropriated and reappropriated to the agency and project for which the funds were allocated by the federal government.

Sec. 51. GIFTS AND BEQUESTS

Any gifts or bequests made available to the State of Nebraska for any purpose or purposes, together with the income thereof, shall be allocated to the expending agency designated by the donor or, if none is designated by such donor, by the Governor. No matching of state funds shall be required as a condition to accept any gift or bequest. All gifts or bequests of personal property in excess of \$10,000 shall be approved by the Governor before acceptance, and all gifts or devises of real property in excess of \$10,000 to be used for state purposes shall be approved by the Governor and the Legislature before acceptance.

Expenditures from gifts or bequests may be expended through any cash fund accounts, in which case the actual amount of the gift or bequest is hereby appropriated to the expending agency for the purpose or purposes designated by the donor and in addition to the amounts appropriated in this act.

This section shall not apply to the University of Nebraska.

Sec. 52. The One Hundredth Legislature acknowledges that Article III, section 22, of the Constitution of Nebraska provides that each Legislature shall make appropriations for the expenses of the government. Consistent with this provision, any appropriations enacted by prior Legislatures for fiscal years beginning after June 30, 2007, are null and void unless specifically reaffirmed by this Legislature.

Sec. 53. This act becomes operative on July 1, 2007.

Sec. 54. Since an emergency exists, this act takes effect when passed and approved according to law.