

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 314

FINAL READING

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

Read first time January 15, 2009

Committee: Appropriations

A BILL

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

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

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill
3 passed by the One Hundred First Legislature, First or Second
4 Session, which appropriates funds, FY2008-09 means the period July
5 1, 2008, through June 30, 2009, FY2009-10 means the period July 1,
6 2009, through June 30, 2010, FY2010-11 means the period July 1,
7 2010, through June 30, 2011, FY2011-12 means the period July 1,
8 2011, through June 30, 2012, and FY2012-13 means the period July 1,
9 2012, through June 30, 2013.

10 Sec. 2. APPROPRIATION LANGUAGE.

11 There are hereby appropriated, for FY2009-10 and
12 FY2010-11, the sums set forth in this act to each agency for
13 each program from the respective funds for capital construction
14 projects, land acquisition, lease-purchase arrangements, and major
15 equipment acquisition, except as otherwise appropriated.

16 Sec. 3. REAPPROPRIATION OF BALANCE, FY2009-10 to
17 FY2010-11.

18 In addition to the appropriations set forth in this
19 act, there are hereby reappropriated all unexpended appropriation
20 balances existing on June 30, 2010, for FY2010-11 to the respective
21 agencies, programs, and funds listed in this act, except as
22 otherwise provided in this act.

23 Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

24 The definitions contained in the Nebraska Accounting
25 System Manual, and any amendments thereto, on file with the Clerk

1 of the Legislature are hereby adopted by the Legislature as the
2 definitions for this act.

3 Sec. 5. DRAWING AND PAYING WARRANTS.

4 The Director of Administrative Services shall draw
5 warrants upon the proper fund in the state treasury for an amount
6 not to exceed the appropriations set forth in this act upon
7 presentation of proper documentation. The State Treasurer shall pay
8 the warrants out of the appropriate funds.

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

13 The biennial appropriations contained in this act
14 covering FY2009-10 and FY2010-11, which have been designated for
15 planning, require from the agency a complete program statement
16 prepared in accordance with the Procedural Manual for Capital
17 Construction as approved by the state building division of
18 the Department of Administrative Services. Projects directly
19 related to program continuation such as fire and life safety,
20 maintenance, utility improvements, handicapped access, and master
21 planning require a statement of needs prepared in accordance with
22 the manual. An appropriation for drawings and construction may
23 be recommended only after submission of an acceptable program
24 statement or statement of needs on or before September 15 to the
25 state building division, the budget division of the Department of

1 Administrative Services, and the Legislative Fiscal Analyst.

2 Program statements that have been submitted prior to
3 FY2009-10 shall be updated if necessary and resubmitted during
4 the period July 1, 2009, to September 1, 2009. Program statements
5 that have been submitted prior to FY2010-11 shall be updated
6 if necessary and resubmitted during the period July 1, 2010, to
7 September 1, 2010, by agency priority. Such priority shall be
8 subject to final modification by the governing authority of each
9 agency on or before September 15, 2010.

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

20 Sec. 8. AGENCY NO. 33 - GAME AND PARKS COMMISSION

21 Program No. 900 - State Park System Facility Improvements

	FY2009-10	FY2010-11	FUTURE
22 CASH FUND	125,000	125,000	-0-
23 PROGRAM TOTAL	125,000	125,000	-0-

25 The Game and Parks Commission is hereby authorized to

1 maintain and improve basic facilities of the state park system.
 2 There is included in the appropriation to this program for
 3 FY2009-10 \$50,000 cash funds and for FY2010-11 \$50,000 cash funds
 4 for this purpose.

5 The Game and Parks Commission is hereby authorized to
 6 develop new, maintain, and improve boating facilities. There is
 7 included in the appropriation to this program for FY2009-10 \$75,000
 8 cash funds and for FY2010-11 \$75,000 cash funds for this purpose.

9 Sec. 9. AGENCY NO. 33 - GAME AND PARKS COMMISSION

10 Program No. 901 - State Parks Facilities Deferred
 11 Maintenance

	FY2009-10	FY2010-11	FUTURE
12 CASH FUND	300,000	300,000	-0-
14 PROGRAM TOTAL	300,000	300,000	-0-

15 The Game and Parks Commission is hereby authorized to
 16 make deferred repairs and maintenance improvements at facilities in
 17 the state park system and replace and upgrade facilities in the
 18 state park system with the appropriation to this program.

19 Sec. 10. AGENCY NO. 33 - GAME AND PARKS COMMISSION

20 Program No. 924 - Wildlife Land Acquisition and
 21 Improvements

	FY2009-10	FY2010-11	FUTURE
22 CASH FUND	200,000	200,000	-0-
24 PROGRAM TOTAL	200,000	200,000	-0-

25 The Game and Parks Commission is hereby authorized to

1 acquire and develop wildlife lands and waters statewide with the
2 appropriation to this program.

3 Sec. 11. AGENCY NO. 33 - GAME AND PARKS COMMISSION

4 Program No. 967 - Improvements to State Parks

	FY2009-10	FY2010-11	FUTURE
5 CASH FUND	850,500	472,500	-0-
6 PROGRAM TOTAL	850,500	472,500	-0-

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

11 It is intended that the following projects be undertaken
12 with funds appropriated to this program for FY2009-10:

13 Repair and Update Pond and Sewage Facility to Lodging
14 Facilities - Ponca State Park - 350,000

15 Heating, Ventilation, and Air-Condition Lodge - Fort
16 Robinson - 150,000

17 Update and renovate 16 cabins - Mahoney State Park -
18 200,000

19 Upgrade and Repair Swimming Pool - Chadron State Park -
20 50,000

21 Upgrade and renovate cabins - Platte River State Park -
22 60,000

23 Major State Park Contingency for cost overruns in Program
24 967 - 40,500

25 It is intended that the following projects be undertaken

1 with the funds appropriated to this program for FY2010-11:
 2 Update and renovate 16 cabins - Mahoney State Park -
 3 200,000
 4 Utilities upgrade and new water tower - Ponca State Park
 5 - 250,000
 6 Major State Park Contingency for cost overruns in Program
 7 967 - 22,500

8 Sec. 12. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 9 Program No. 969 - Improvements to State Recreation Areas

	FY2009-10	FY2010-11	FUTURE
11 GENERAL FUND	165,000	-0-	-0-
12 CASH FUND	246,750	29,500	-0-
13 PROGRAM TOTAL	411,750	29,500	-0-

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

17 It is intended that the following projects be undertaken
 18 with funds appropriated to this program for FY2009-10:

19 Contingency-Rec Areas - Statewide - 11,750
 20 Interpretive Displays - Lake McConaughy State Recreation
 21 Area - 125,000
 22 Maintenance Shop Upgrade - Pawnee Lake State Recreation
 23 Area - 60,000
 24 Water Treatment Plant Replacement - Rock Creek Station
 25 State Recreation Area - 50,000

1 Addition to Visitor Center Planning and Construction -
2 Wildcat Hills State Recreation Area - 165,000

3 It is intended that the following projects be undertaken
4 with funds appropriated to this program for FY2010-11:

5 Contingency-Rec Areas - Statewide - 4,500
6 Service Hook-ups to Electrical Pads - Willow Creek State
7 Recreation Area - 25,000

8 Sec. 13. AGENCY NO. 33 - GAME AND PARKS COMMISSION
9 Program No. 971 - Improvements to Special Use Areas
10 (Wildlife Management Areas)

	FY2009-10	FY2010-11	FUTURE
11 CASH FUND	325,000	325,000	-0-
12 PROGRAM TOTAL	325,000	325,000	-0-

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

17 Sec. 14. AGENCY NO. 33 - GAME AND PARKS COMMISSION
18 Program No. 972 - Improvements to Administrative
19 Facilities

	FY2009-10	FY2010-11	FUTURE
20 CASH FUND	75,000	75,000	-0-
21 PROGRAM TOTAL	75,000	75,000	-0-

23 The Game and Parks Commission is hereby authorized to
24 make general improvements and repairs to the central and district
25 offices.

1 Sec. 15. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 2 Program No. 973 - Improvements to Fish Production
 3 Facilities

	FY2009-10	FY2010-11	FUTURE
4 CASH FUND	1,000,000	1,000,000	-0-
6 PROGRAM TOTAL	1,000,000	1,000,000	-0-

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

11 Sec. 16. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 12 Program No. 975 - Emergency Repairs to State Park System
 13 Areas

	FY2009-10	FY2010-11	FUTURE
14 CASH FUND	75,000	75,000	-0-
16 PROGRAM TOTAL	75,000	75,000	-0-

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

20 Sec. 17. AGENCY NO. 33 - GAME AND PARKS COMMISSION
 21 Program No. 976 - Emergency Repairs to Fish and Wildlife
 22 Facilities

	FY2009-10	FY2010-11	FUTURE
23 CASH FUND	50,000	50,000	-0-
25 PROGRAM TOTAL	50,000	50,000	-0-

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

5 Sec. 18. AGENCY NO. 33 - GAME AND PARKS COMMISSION

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

	FY2009-10	FY2010-11	FUTURE
8 CASH FUND	200,000	-0-	-0-
10 PROGRAM TOTAL	200,000	-0-	-0-

11 The Game and Parks Commission is hereby authorized to
 12 acquire and develop wildlife lands for the benefit of nongame and
 13 endangered species and public use facilitation statewide.

14 Sec. 19. AGENCY NO. 33 - GAME AND PARKS COMMISSION

15 Program No. 981 - Aquatic Habitat Enhancement and
 16 Restoration

	FY2009-10	FY2010-11	FUTURE
17 CASH FUND	3,000,000	3,000,000	-0-
19 PROGRAM TOTAL	3,000,000	3,000,000	-0-

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

23 Sec. 20. AGENCY NO. 33 - GAME AND PARKS COMMISSION

24 It is the intent of the Legislature that the Game and
 25 Parks Commission shall apply for and make maximum use of federal

1 funding on all capital construction projects which are eligible
 2 for such assistance. It is the intent of the Legislature that all
 3 funds appropriated to the Game and Parks Commission for capital
 4 construction projects shall only be spent for the purpose of the
 5 original appropriation.

6 Sec. 21. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
 7 SERVICES

8 Program No. 913 - Security Systems Upgrade

	FY2009-10	FY2010-11	FUTURE
9 GENERAL FUND	1,855,000	1,500,000	1,500,000
10 PROGRAM TOTAL	1,855,000	1,500,000	1,500,000

12 The Department of Correctional Services is hereby
 13 authorized to upgrade security system components at various
 14 Department of Correctional Services Facilities statewide.

15 It is intended that the following projects be undertaken
 16 with funds appropriated to this program:

17 Replace Perimeter Security Lights on the Old Campus -
 18 Nebraska Correctional Center for Women

19 Replace Perimeter Security Fencing on Old Campus -
 20 Nebraska Correctional Center for Women

21 Replace Perimeter Detection System - Lincoln Correctional
 22 Center/Diagnostic and Evaluation Center

23 Install Rooftop Security Fence Above Front Entrance -
 24 Lincoln Correctional Center

25 Install Rooftop Security Fence Above Entrance -

1 Diagnostic and Evaluation Center
 2 Perimeter Fencing Upgrade between Entrance and Tower 1 -
 3 Diagnostic and Evaluation Center
 4 Replace Razor Ribbon on Exterior Security Fence - Omaha
 5 Correctional Center
 6 Install Exterior Security Lights - Community Corrections
 7 Center at Omaha
 8 Replace Exterior Security Lights - Nebraska State
 9 Penitentiary
 10 Control Center Modifications in Buildings A and C for
 11 Department of Correctional Services Inmate Population - Work Ethic
 12 Camp
 13 Closed Circuit Surveillance Camera Improvements - Various
 14 Facilities

15 Sec. 22. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
 16 TELECOMMUNICATIONS COMMISSION

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

	FY2009-10	FY2010-11	FUTURE
19 NEBRASKA CAPITAL	4,692,327	-0-	-0-
20 CONSTRUCTION FUND			
21 PROGRAM TOTAL	4,692,327	-0-	-0-

23 The Legislature hereby acknowledges and reaffirms
 24 the directive made by Laws 1999, LB 878, section 30, which
 25 authorizes the Nebraska Educational Telecommunications Commission

1 (NETC) to digitize the NETC transmission signal and to replace
 2 satellite transponder capacity. This project should be completed
 3 in FY2009-10.

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

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

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

22 Sec. 23. AGENCY NO. 47 - NEBRASKA EDUCATIONAL
 23 TELECOMMUNICATIONS COMMISSION

24 Program No. 922 - Final DTV Transmitter Conversion

25 FY2009-10 FY2010-11 FUTURE

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1	NEBRASKA CAPITAL	900,000	-0-	-0-
2	CONSTRUCTION FUND			
3	PROGRAM TOTAL	900,000	-0-	-0-

4 The Legislature hereby acknowledges and reaffirms the
5 directive by Laws 2007, LB 320, section 30, which authorized
6 the Nebraska Educational Telecommunications Commission to complete
7 the conversion of the existing NETC system to the new DTV
8 system through upgrades to existing statewide transmission systems,
9 translators, and transmitters and through the removal of antennas,
10 transmission lines, and other outdated equipment associated with
11 the conversion process.

12 Sec. 24. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
13 NEBRASKA STATE COLLEGES

14 Program No. 919 - State College Facilities Program

15		FY2009-10	FY2010-11	FUTURE
16	GENERAL FUND	1,125,000	1,125,000	10,125,000
17	REVOLVING FUND est.	1,200,000	1,200,000	10,800,000
18	PROGRAM TOTAL	2,325,000	2,325,000	20,925,000

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

1 Sec. 25. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 2 NEBRASKA STATE COLLEGES

3 Program No. 920 - Board Facilities Fee Fund Projects

	FY2009-10	FY2010-11	FUTURE
4 REVOLVING FUND est.	957,340	957,340	8,616,060
5 PROGRAM TOTAL	957,340	957,340	8,616,060

6 The Legislature hereby acknowledges and reaffirms
 7 provisions of section 85-328 which authorize amounts accumulated in
 8 the State College Facility Fee Fund to be expended for the purpose
 9 of paying the cost of capital improvement projects approved by the
 10 Board of Trustees of the Nebraska State Colleges for facilities on
 11 campuses or lands owned or controlled by the board.
 12

13 Sec. 26. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

14 Program No. 906 - System Facilities Fee Fund Projects

	FY2009-10	FY2010-11	FUTURE
15 CASH FUND est.	5,200,000	-0-	-0-
16 PROGRAM TOTAL	5,200,000	-0-	-0-

17 The Legislature hereby acknowledges and reaffirms the
 18 directive made by Laws 1998, LB 1100, sections 3 and 4, which
 19 authorizes the Board of Regents of the University of Nebraska to
 20 complete various renewal and renovation projects on all university
 21 campuses with the appropriation to this program.
 22

23 Sec. 27. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

24 Program No. 920 - University of Nebraska Facilities
 25 Program

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	FY2009-10	FY2010-11	FUTURE
1			
2 GENERAL FUND	11,000,000	11,000,000	99,000,000
3 CASH FUND est.	5,500,000	11,000,000	94,632,546
4 PROGRAM TOTAL	16,500,000	22,000,000	193,632,546

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

12 Sec. 28. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

13 Program No. 930 - NCTA Education Center

	FY2009-10	FY2010-11	FUTURE
14			
15 GENERAL FUND	-0-	-0-	11,986,135
16 NEBRASKA CAPITAL	-0-	803,000	-0-
17 CONSTRUCTION FUND			
18 PROGRAM TOTAL	-0-	803,000	11,986,135

19 The Board of Regents of the University of Nebraska is
20 hereby authorized to design and construct an Education Center at
21 the Nebraska College of Technical Agriculture. The total project
22 cost to be supported from state funds is \$8,762,000. Nonstate tax
23 funds of \$1,000,000 shall be used to supplement the project.

24 The Board of Regents may enter into long-term financing

1 contracts with any person, firm, or corporation for the Education
2 Center project. The payments of the costs of the project may
3 occur over a contract period not to extend beyond June 30, 2025.
4 The Board of Regents shall not pledge the credit of the State
5 of Nebraska for the payment of any sum owing on account of such
6 contracts, except that there may be pledged for payment of any
7 such contracts any appropriations made by the Legislature for
8 such purpose. No contracts shall be entered into pursuant to
9 this section without prior approval by resolution of the Board of
10 Regents. The Board of Regents may schedule contractual payments on
11 a monthly, quarterly, or semiannual basis consistent with the state
12 fiscal year. On or before August 31, 2025, any funds appropriated
13 from the Nebraska Capital Construction Fund and the General Fund
14 for the project held in the state treasury and held by any
15 trustee which are not necessary to meet the terms of any long-term
16 financing agreements entered into pursuant to this section shall be
17 transferred to the General Fund.

18 Sec. 29. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION
19 FACILITIES EXPENDITURES

20 Pursuant to the provisions of section 85-408 and a
21 recommendation for approval by the Coordinating Commission for
22 Postsecondary Education, the Legislature hereby approves the
23 request by the University of Nebraska for the expenditure of
24 \$4,960,000 from bond surplus funds for the partial renovation of
25 Men's Hall and Randall Hall at the University of Nebraska at

1 Kearney.

2 Sec. 30. LEGISLATIVE APPROVAL FOR HIGHER EDUCATION
3 FACILITIES EXPENDITURES

4 Pursuant to the provisions of sections 85-404 and 85-408
5 and a recommendation for approval by the Coordinating Commission
6 for Postsecondary Education, the Legislature hereby approves
7 the request by the University of Nebraska for a \$16,800,000
8 parking structure at 19th and Vine Streets at the University of
9 Nebraska-Lincoln. The parking structure shall be financed from
10 bonds issued under the University's Master Trust Indenture and
11 parking surplus funds which will be repaid by net parking revenue.

12 Sec. 31. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
13 SERVICES

14 Program No. 901 - State Capitol Improvements

	FY2009-10	FY2010-11	FUTURE
15			
16 NEBRASKA CAPITAL	1,000,000	1,000,000	-0-
17 CONSTRUCTION FUND			
18 PROGRAM TOTAL	1,000,000	1,000,000	-0-

19 The State Capitol Administrator is hereby authorized
20 to undertake projects identified within the Master Plan for
21 the Conservation and Restoration of the Nebraska State Capitol.
22 Prior to expending any amounts appropriated in this section, the
23 State Capitol Administrator shall identify projects planned to be
24 undertaken with such amounts and shall submit such plans to the
25 Nebraska Capitol Commission for approval. There is included in

1 the appropriation to this program \$1,000,000 for FY2009-10 and
 2 \$1,000,000 for FY2010-11 from the Nebraska Capital Construction
 3 Fund for such purpose. Of the amount appropriated for FY2009-10,
 4 not less than \$150,000 shall be allocated for conservation and
 5 restoration of Capitol space occupied by the Legislature. Of the
 6 amount appropriated for FY2010-11, not less than \$150,000 shall
 7 be allocated for conservation and restoration of Capitol space
 8 occupied by the Legislature.

9 Sec. 32. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 10 SERVICES

11 Program No. 913 - Parking Expansion

	FY2009-10	FY2010-11	FUTURE
12 REVOLVING FUND	2,169,630	-0-	-0-
14 PROGRAM TOTAL	2,169,630	-0-	-0-

15 The Legislature hereby acknowledges and reaffirms the
 16 directive made by Laws 1996, LB 1189, section 53, which authorized
 17 the Department of Administrative Services to construct two
 18 additional levels of parking to the state's east garage in Lincoln
 19 and one additional level of parking to the state's south garage
 20 in Lincoln, along with related repair and restoration items, and
 21 which authorized the state building division of the Department of
 22 Administrative Services to enter into contracts with the city of
 23 Lincoln or any person, firm, or corporation in order to construct
 24 such additional parking and to proceed with financing the project
 25 for a period not to exceed twenty years.

1 There is included in the appropriation to this program
 2 for FY2009-10 \$2,169,630 from the Capitol Buildings Parking
 3 Revolving Fund to be applied toward retirement of remaining
 4 obligations entered into to finance the projects.

5 Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 6 SERVICES

7 Program No. 920 - Executive Office Building and Parking
 8 Facility Purchase

	FY2009-10	FY2010-11	FUTURE
9			
10 REVOLVING FUND	1,624,360	-0-	-0-
11 PROGRAM TOTAL	1,624,360	-0-	-0-

12 The Legislature hereby acknowledges and reaffirms the
 13 directive made by Laws 1999, LB 878, section 54, which authorized
 14 the Department of Administrative Services to purchase the Executive
 15 Office Building and the parking facility located at the corner of
 16 13th and K Streets in Lincoln, Nebraska. The department was further
 17 authorized to enter into a contract or contracts with such entity
 18 or entities as necessary to facilitate financing the purchase.

19 There is included in the appropriation to this program
 20 for FY2009-10 \$1,624,360 from the State Building Revolving Fund to
 21 be applied toward retirement of remaining obligations entered into
 22 to finance the project.

23 Sec. 34. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 24 SERVICES

25 Program No. 933 - Acquisition of Property within and in

1 close proximity to the Capitol Environs District

2		FY2009-10	FY2010-11	FUTURE
3	NEBRASKA CAPITAL	-0-	13,080,000	-0-
4	CONSTRUCTION FUND			
5	PROGRAM TOTAL	-0-	13,080,000	-0-

6 (1) The Legislature hereby acknowledges and reaffirms the
 7 directive made by Laws 2007, LB 320, section 45, which authorized
 8 the Department of Administrative Services to purchase property
 9 located within the Nebraska State Capitol Environs District, or in
 10 proximity to it, as such property becomes available. The Department
 11 of Administrative Services is also authorized to enter into
 12 long-term financial agreements in order to acquire such property.
 13 Prior to finalization of any long-term financing agreements, the
 14 Governor's approval shall be obtained. Such long-term agreements
 15 shall not extend beyond June 30, 2014. There is included in the
 16 appropriation to this program for FY2010-11 \$10,980,000 from the
 17 Nebraska Capital Construction Fund for such purpose.

18 (2) The Department of Administrative Services is hereby
 19 authorized to expend up to \$2,100,000 for purposes authorized
 20 in subsection (3) of this section. There is included in the
 21 appropriation to this program for FY2010-11 \$2,100,000 from the
 22 Nebraska Capital Construction Fund for purposes authorized in
 23 subsection (3) of this section.

24 (3) In addition to the purchase of property, the
 25 Department of Administrative Services may purchase moveable and

1 fixed equipment, pay for moving costs associated with moving
 2 agencies into any building which is acquired, pay for rental
 3 expenses associated with moving agencies into any building which is
 4 acquired, and defray any miscellaneous associated costs of moving
 5 agencies into any building which is acquired.

6 Sec. 35. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 7 SERVICES

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

	FY2009-10	FY2010-11	FUTURE
11 GENERAL FUND	1,027,233	1,027,233	2,054,466
12 PROGRAM TOTAL	1,027,233	1,027,233	2,054,466

13 The unexpended State Building Fund appropriation balance
 14 existing on June 30, 2009, is hereby reappropriated as General
 15 Funds.

16 The Legislature hereby acknowledges and reaffirms the
 17 directive made by Laws 2007, LB 320, section 46, which authorized
 18 the Chief Information Officer to enter into a master lease
 19 financing agreement through the Department of Administrative
 20 Services for costs of radio towers and network equipment associated
 21 with implementing the Nebraska Public Safety Communication System.
 22 Total project costs may change as user partners are added to the
 23 system, but the State of Nebraska portion of the System Towers
 24 and Network Equipment Project cost, including financing, shall not
 25 exceed \$10,680,754.

1 There is included in the total appropriation to this
 2 program for FY2008-09 \$3,051,644 from the General Fund for costs
 3 of radio towers and network equipment and to initiate repayment of
 4 project financing.

5 There is included in the appropriation to this program
 6 for FY2009-10 \$1,027,233 from the General Fund for costs of radio
 7 towers and network equipment and to initiate and continue repayment
 8 of project financing.

9 There is included in the appropriation to this program
 10 for FY2010-11 \$1,027,233 from the General Fund for costs of radio
 11 towers and network equipment and to initiate and continue repayment
 12 of project financing.

13 It is the intent of the Legislature to appropriate
 14 \$2,054,466 from the General Fund for the period including FY2011-12
 15 through FY2013-14 for costs of radio towers and network equipment
 16 and to complete repayment of project financing.

17 Sec. 36. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 18 SERVICES

19 Program No. 939 - State Capitol Complex

	FY2009-10	FY2010-11	FUTURE
20			
21 NEBRASKA CAPITAL	6,809,014	-0-	-0-
22 CONSTRUCTION FUND			
23 PROGRAM TOTAL	6,809,014	-0-	-0-

24 The Legislature hereby acknowledges and reaffirms the
 25 directives made by Laws 1997, LB 386, section 55, which authorized

1 the State Capitol Masonry Restoration project. The Legislature
 2 further acknowledges and reaffirms provisions of the Nebraska
 3 State Capitol Preservation and Restoration Act which assign
 4 responsibility for administration of the project to the Office of
 5 the Nebraska Capitol Commission.

6 There is included in the appropriation to this program
 7 for FY2009-10 \$6,809,014 from the Nebraska Capital Construction
 8 Fund to complete the project. The project should be completed in
 9 FY2010-11.

10 Sec. 37. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 11 SERVICES

12 Program No. 940 - Task Force for Building Renewal

	FY2009-10	FY2010-11	FUTURE
13 CASH FUND	24,620,618	21,939,997	53,220,313
14 PROGRAM TOTAL	24,620,618	21,939,997	53,220,313

15
 16 The Legislature hereby acknowledges and reaffirms the
 17 directive made by section 77-2602, which is to place amounts from
 18 the special privilege tax on cigarettes in the Building Renewal
 19 Allocation Fund for FY1997-98 and continuing each fiscal year
 20 until all the purposes of the Deferred Building Renewal Act have
 21 been fulfilled. The Legislature hereby further acknowledges and
 22 reaffirms the directives made by sections 81-188.01, 81-188.03,
 23 and 81-188.05 which are to place amounts from certain depreciation
 24 charges in the State Building Renewal Assessment Fund, University
 25 Building Renewal Assessment Fund, and State College Building

1 Renewal Assessment Fund for purposes as provided in the Deferred
2 Building Renewal Act.

3 The appropriation to this program is for the purpose of
4 carrying out the provisions of the Deferred Building Renewal Act
5 which includes deferred repair, fire and life safety projects,
6 and compliance with the federal Americans with Disabilities Act
7 (ADA) of 1990. Funds may also be spent on projects related to
8 energy conservation. There is hereby appropriated any available
9 federal funds, plus investment income thereon, for this program for
10 FY2009-10 and FY2010-11. There is included in the appropriation to
11 this program for FY2009-10 an amount not to exceed \$200,000 cash
12 funds and for FY2010-11 an amount not to exceed \$200,000 cash funds
13 for building maintenance and renewal training, roof scans and other
14 testing procedures, and consulting work.

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

21 None of the funds appropriated to this program shall be
22 used for operating budget compliance with the federal Americans
23 with Disabilities Act of 1990. Expenditures for deferred repair,
24 fire and life safety projects, and compliance with the federal
25 Americans with Disabilities Act of 1990 may be made through

1 the same program on the Allotment Status Report in the Nebraska
 2 Information System, except that expenditures for deferred repair,
 3 fire and life safety projects, and compliance with the federal
 4 Americans with Disabilities Act of 1990 should each be kept
 5 separate by subprogram on the Budget Status Report in the Nebraska
 6 Information System or through the use of the Grant Project Status
 7 Report or some other accounting mechanism.

8 Sec. 38. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 9 SERVICES

10 Program No. 980 - Utility Improvements - Department of
 11 Health and Human Services - Statewide

	FY2009-10	FY2010-11	FUTURE
13 REVOLVING FUND	1,600,000	-0-	-0-
14 PROGRAM TOTAL	1,600,000	-0-	-0-

15 The Department of Administrative Services is hereby
 16 authorized to make infrastructure improvements to all Department
 17 of Health and Human Services campuses and Administrative
 18 Services/State Building Division Campuses with the appropriation
 19 to this program.

20 It is intended that the largest of the proposed projects
 21 would be the connection of Building 16 at the Norfolk Regional
 22 Center to the City of Norfolk Water System.

23 Sec. 39. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 24 SERVICES

25 Program No. 981 - Norfolk Regional Center - Central

1 Heating Plant

	FY2009-10	FY2010-11	FUTURE
2			
3 REVOLVING FUND	750,000	825,000	-0-
4 PROGRAM TOTAL	750,000	825,000	-0-

5 The Department of Administrative Services is hereby
 6 authorized to replace the existing heating plant on the north
 7 edge of the Norfolk Regional Center with a new heating plant
 8 adjacent to Building 16. The new plant will be sized to support
 9 only Building 16.

10 Sec. 40. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 11 SERVICES

12 Program No. 982 - State Capitol Elevators

	FY2009-10	FY2010-11	FUTURE
13			
14 NEBRASKA CAPITAL	1,000,000	892,479	-0-
15 CONSTRUCTION FUND			
16 PROGRAM TOTAL	1,000,000	892,479	-0-

17 The State Capitol Administrator is hereby authorized to
 18 modernize and upgrade the four passenger elevators in the State
 19 Capitol tower with new elevator systems.

20 There is included in the appropriation to this program
 21 for FY2009-10 \$1,000,000 from the Nebraska Capital Construction
 22 Fund and for FY2010-11 \$892,479 from the Nebraska Capital
 23 Construction Fund to complete this project.

24 Sec. 41. There is hereby appropriated, unless otherwise

1 specified, for FY2009-10 and for FY2010-11 from undisbursed
2 balances existing on June 30, 2009, and on June 30, 2010,
3 respectively, to each agency for each program from the respective
4 funds for capital construction as follows:

5 (1) Agency No. 25 - Department of Health and Human
6 Services

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

8 (2) Agency No. 27 - Department of Roads

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

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

14 Program No. 937 - Alliance State Veterans' Cemetery.

15 (4) Agency No. 31 - Military Department

16 Program Nos. 905, 906, 910, and 925.

17 (5) Agency No. 33 - Game and Parks Commission

18 Program Nos. 900, 901, 902, 919, 924, 960, 966, 967, 968,
19 969, 971, 972, 973, 975, 976, 977, 979, and 981, except that for
20 FY2009-10 only the undisbursed balances existing on June 30, 2009,
21 for the following programs and projects shall be reappropriated and
22 all other unobligated June 30, 2009, balances shall lapse:

23 Program No. 900 - State Park System Facility Improvements
24 and Motor Boat Access Facilities, less \$579,018 of unobligated
25 Cash Fund and \$20,613 of unobligated Federal Fund appropriation

1 authority

2 Program No. 901 - State Parks Facilities Deferred
3 Maintenance, less \$102,322 of unobligated Cash Fund appropriation
4 authority

5 Program No. 902 - Trail Development Assistance, less
6 \$1,433 of unobligated Cash Fund appropriation authority

7 Program No. 919 - Political Subdivisions Aid

8 Program No. 924 - Wildlife Land Acquisition and
9 Improvements

10 Program No. 960 - Park and Recreation Land Acquisition,
11 including the purchase of land for a new maintenance facility to
12 replace the facility located at 30th and Y Streets in Lincoln, less
13 \$266,731 of unobligated Cash Fund appropriation authority

14 Program No. 966 - Trail Development

15 Program No. 967 - Improvements to State Parks, less
16 \$217,431 of unobligated Cash Fund appropriation authority

17 Program No. 968 - State Historical Parks, less \$160,810
18 of unobligated Cash Fund appropriation authority

19 Program No. 969 - Improvements to State Recreation Areas,
20 less \$204,690 of unobligated Cash Fund appropriation authority

21 Program No. 971 - Improvements to Special Use Areas
22 (Wildlife Management Areas), less \$257,529 of unobligated Cash Fund
23 appropriation authority

24 Program No. 972 - Improvements to Administrative
25 Facilities, less \$328,414 of unobligated Cash Fund appropriation

1 authority

2 Program No. 973 - Improvements to Fish Production
3 Facilities, less \$462,097 of unobligated Cash Fund appropriation
4 authority

5 Program No. 975 - Emergency Repairs to State Park
6 System Areas, less \$25,000 of unobligated Cash Fund appropriation
7 authority

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

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

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

16 Program No. 981 - Aquatic Habitat Enhancement and
17 Restoration

18 (6) Agency No. 46 - Department of Correctional Services
19 Program Nos. 915, 916, 918, and 920.

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

22 Program Nos. 911, 912, 917, 922, 925, and 926.

23 (8) Agency No. 50 - Board of Trustees of the Nebraska
24 State Colleges

25 Program Nos. 919, 920, 921, 945, 946, 951, 952, 993,

1 and 996, and any additional construction programs administratively
2 created relating to the Board of Trustees of the Nebraska State
3 Colleges and its campuses which are funded through cash funds,
4 federal funds, revolving funds, or private gifts or donations. The
5 undisbursed appropriation balance for Program No. 998 existing on
6 June 30, 2009, is hereby appropriated for Program No. 840 for
7 FY2009-10. Of such amount appropriated for Program No. 840 for
8 FY2009-10, the undisbursed balance existing on June 30, 2010, is
9 hereby reappropriated for FY2010-11.

10 (9) Agency No. 51 - University of Nebraska

11 Program Nos. 901, 902, 903, 905, 907, 908, 909, 912,
12 915, 917, 918, 920, 922, 925, 927, 928, 933, 934, 935, 937, 942,
13 943, 944, 946, 947, 948, 949, 951, 952, 953, 954, 955, 956, 958,
14 959, 960, 962, 964, 965, 966, 967, 968, 969, 970, 973, 974, 975,
15 976, 978, 980, 982, 983, 985, 989, 990, 992, 993, 994, and 997,
16 and any additional construction programs administratively created
17 relating to the University of Nebraska-Lincoln, the University
18 of Nebraska at Omaha, the University of Nebraska Medical Center,
19 the University of Nebraska at Kearney, the Nebraska College of
20 Technical Agriculture at Curtis, and the University of Nebraska
21 Central Administration which are funded through cash funds, federal
22 funds, revolving funds, or private gifts or donations.

23 (10) Agency No. 54 - Nebraska State Historical Society
24 Program No. 954.

25 (11) Agency No. 65 - Department of Administrative

1 Services

2 Program Nos. 901, 913, 920, 924, 932, 933, 935, 939, 940,
3 980, 981, and 982.

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

6 The budget division of the Department of Administrative
7 Services is hereby authorized to implement the appropriation of
8 unexpended balances existing on June 30, 2009, such that unexpended
9 State Building Fund balances are reappropriated for FY2009-10 as
10 General Funds.

11 Sec. 42. FEDERAL FUNDS

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

18 Sec. 43. GIFTS AND BEQUESTS

19 Any gifts or bequests made available to the State of
20 Nebraska for any purpose or purposes, together with the income
21 thereof, shall be allocated to the expending agency designated by
22 the donor or, if none is designated by such donor, by the Governor.
23 No matching of state funds shall be required as a condition to
24 accept any gift or bequest. All gifts or bequests of personal
25 property in excess of \$10,000 shall be approved by the Governor

1 before acceptance, and all gifts or devises of real property in
2 excess of \$10,000 to be used for state purposes shall be approved
3 by the Governor and the Legislature before acceptance.

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

9 This section shall not apply to the University of
10 Nebraska.

11 Sec. 44. The One Hundred First Legislature acknowledges
12 that Article III, section 22, of the Constitution of Nebraska
13 provides that each Legislature shall make appropriations for
14 the expenses of the government. Consistent with this provision,
15 any appropriations enacted by prior Legislatures for fiscal
16 years beginning after June 30, 2009, are null and void unless
17 specifically reaffirmed by this Legislature.

18 Sec. 45. This act becomes operative on July 1, 2009.

19 Sec. 46. Since an emergency exists, this act takes effect
20 when passed and approved according to law.