

AMENDMENTS TO LB 380

Introduced by Appropriations

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 81-188.01, Revised Statutes Cumulative
4 Supplement, 2010, is amended to read:

5 81-188.01 (1) The State Building Renewal Assessment Fund
6 is created. The fund shall be under the control of the Governor for
7 allocation to building renewal projects of the various agencies
8 and shall be administered in a manner consistent with the
9 administration of the Building Renewal Allocation Fund pursuant
10 to the Deferred Building Renewal Act. No amounts accruing to the
11 State Building Renewal Assessment Fund shall be expended in any
12 manner for purposes other than as provided in this section or as
13 appropriated by the Legislature to meet the cost of administering
14 the act. Transfers may be made from the fund to the General Fund at
15 the direction of the Legislature.

16 (2) Revenue credited to the State Building Renewal
17 Assessment Fund shall include amounts derived from charges assessed
18 pursuant to subdivision (4) (b) of section 81-1108.17, ~~depreciation~~
19 ~~charges remitted pursuant to section 81-188.02,~~ and such other
20 revenue as may be incident to the administration of the fund.

21 (3) Amounts appropriated from the fund shall be expended
22 to conduct renewal work as defined in section 81-173 and to
23 complete other improvements incident to such renewal work as deemed

1 necessary or appropriate by the task force. From amounts accruing
2 to the fund as the result of depreciation charges assessed pursuant
3 to subdivision (4)(b) of section 81-1108.17, expenditures for
4 capital improvements shall be limited to improvements to only those
5 facilities for which such charges have been assessed and remitted.
6 From amounts accruing to the fund as the result of depreciation
7 charges assessed pursuant to section 81-188.02 prior to the
8 operative date of this act, expenditures for capital improvement
9 projects shall be limited to exclude (a) capital improvement
10 projects relating to facilities, structures, or buildings owned,
11 leased, or operated by the (i) University of Nebraska, (ii)
12 Nebraska state colleges, (iii) Department of Aeronautics, (iv)
13 Department of Roads, (v) Game and Parks Commission, or (vi)
14 Board of Educational Lands and Funds and (b) capital improvement
15 projects relating to facilities, structures, or buildings for which
16 depreciation charges are assessed pursuant to subdivision (4)(b) of
17 section 81-1108.17. For each fiscal year, task force allocations
18 from amounts accruing to the fund pursuant to section 81-188.02
19 shall not exceed the total of such revenue credited to the fund
20 in the preceding fiscal year, except that if no revenue from
21 depreciation charge assessments was credited to the fund in the
22 preceding fiscal year, allocations shall not exceed fifty percent
23 of revenue credited to the fund in the last preceding fiscal year
24 in which depreciation charge assessments were credited to the fund.

25 (4) Any money in the fund available for investment
26 shall be invested by the state investment officer pursuant to
27 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act.

2 Sec. 2. Section 81-188.03, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 81-188.03 (1) The University Building Renewal Assessment
5 Fund is created. The fund shall be under the control of the
6 Governor for allocation to building renewal projects and to
7 building renovation projects of the University of Nebraska. No
8 amounts accruing to the University Building Renewal Assessment Fund
9 shall be transferred to any other fund and no amounts accruing to
10 the fund shall be expended in any manner for purposes other than as
11 provided in this section or as appropriated by the Legislature to
12 meet the cost of administering the Deferred Building Renewal Act.

13 (2) Revenue credited to the fund shall include amounts
14 ~~derived from depreciation charges remitted pursuant to section~~
15 ~~81-188.04 as provided by the Legislature~~ and such other revenue as
16 may be incident to the administration of the fund.

17 (3) Amounts appropriated from the fund shall be expended
18 to conduct renewal work as defined in section 81-173, to conduct
19 renovation work, and to complete other improvements incident
20 to such renewal or renovation work as deemed necessary or
21 appropriate by the task force. Expenditures from the fund for
22 capital improvements shall be limited to exclude expenditures for
23 capital improvement projects relating to facilities, structures,
24 or buildings from which revenue is derived and pledged for the
25 retirement of revenue bonds issued under sections 85-403 to 85-411.
26 ~~For each fiscal year, task force allocations from the fund shall~~
27 ~~not exceed total revenue credited to the fund in the preceding~~

1 ~~fiscal year, except that if no revenue from depreciation charge~~
2 ~~assessments was credited to the fund in the preceding fiscal year,~~
3 ~~allocations shall not exceed fifty percent of revenue credited to~~
4 ~~the fund in the last preceding fiscal year in which depreciation~~
5 ~~charge assessments were credited to the fund.~~

6 (4) Any money in the fund available for investment
7 shall be invested by the state investment officer pursuant to
8 the Nebraska Capital Expansion Act and the Nebraska State Funds
9 Investment Act.

10 (5) For purposes of this section, renovation work means
11 work to replace the interior or exterior systems of an existing
12 building to accommodate changes in use of building space or changes
13 in programmatic need for building space.

14 Sec. 3. Section 81-188.05, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 81-188.05 (1) The State College Building Renewal
17 Assessment Fund is created. The fund shall be under the control
18 of the Governor for allocation to building renewal projects and
19 building renovation projects of the Nebraska state colleges. No
20 amounts accruing to the State College Building Renewal Assessment
21 Fund shall be transferred to any other fund and no amounts accruing
22 to the fund shall be expended in any manner for purposes other than
23 as provided in this section or as appropriated by the Legislature
24 to meet the cost of administering the Deferred Building Renewal
25 Act.

26 (2) Revenue credited to the fund shall include amounts
27 ~~derived from depreciation charges remitted pursuant to section~~

1 ~~81-188.06~~ as provided by the Legislature and such other revenue as
2 may be incident to administration of the fund.

3 (3) Amounts appropriated from the fund shall be expended
4 to conduct renewal work as defined in section 81-173, to conduct
5 renovation work, and to complete other improvements incident
6 to such renewal or renovation work as deemed necessary or
7 appropriate by the task force. Expenditures from the fund for
8 capital improvements shall be limited to exclude expenditures for
9 capital improvement projects relating to facilities, structures,
10 or buildings from which revenue is derived and pledged for the
11 retirement of revenue bonds issued under sections 85-403 to 85-411.
12 ~~For each fiscal year, task force allocations from the fund shall~~
13 ~~not exceed total revenue credited to the fund in the preceding~~
14 ~~fiscal year, except that if no revenue from depreciation charge~~
15 ~~assessments was credited to the fund in the preceding fiscal year,~~
16 ~~allocations shall not exceed fifty percent of revenue credited to~~
17 ~~the fund in the last preceding fiscal year in which depreciation~~
18 ~~charge assessments were credited to the fund.~~

19 (4) Any money in the fund available for investment
20 shall be invested by the state investment officer pursuant to
21 the Nebraska Capital Expansion Act and the Nebraska State Funds
22 Investment Act.

23 (5) For purposes of this section, renovation work means
24 work to replace the interior or exterior systems of an existing
25 building to accommodate changes in use of building space or changes
26 in programmatic need for building space.

27 Sec. 4. This act becomes operative on July 1, 2011.

1 Sec. 5. Original sections 81-188.03 and 81-188.05,
2 Reissue Revised Statutes of Nebraska, and section 81-188.01,
3 Revised Statutes Cumulative Supplement, 2010, are repealed.

4 Sec. 6. The following sections are outright repealed:
5 Sections 81-188.02, 81-188.04, and 81-188.06, Revised Statutes
6 Cumulative Supplement, 2010.

7 Sec. 7. Since an emergency exists, this act takes effect
8 when passed and approved according to law.