

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 377**  
Final Reading

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

Read first time January 13, 2011

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 Second Legislature, First or Second  
4 Session, which appropriates funds, FY2010-11 means the period July 1,  
5 2010, through June 30, 2011, FY2011-12 means the period July 1, 2011,  
6 through June 30, 2012, FY2012-13 means the period July 1, 2012,  
7 through June 30, 2013, FY2013-14 means the period July 1, 2013,  
8 through June 30, 2014, and FY2014-15 means the period July 1, 2014,  
9 through June 30, 2015.

10           Sec. 2. APPROPRIATION LANGUAGE.

11           There are hereby appropriated, for FY2011-12 and  
12 FY2012-13, the sums set forth in this act to each agency for each  
13 program from the respective funds for capital construction projects,  
14 land acquisition, lease-purchase arrangements, and major equipment  
15 acquisition, except as otherwise appropriated.

16           Sec. 3. REAPPROPRIATION OF BALANCE, FY2011-12 to  
17 FY2012-13.

18           In addition to the appropriations set forth in this act,  
19 there are hereby reappropriated all unexpended appropriation balances  
20 existing on June 30, 2012, for FY2012-13 to the respective agencies,  
21 programs, and funds listed in this act, except as otherwise provided  
22 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 of

1 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 not  
6 to exceed the appropriations set forth in this act upon presentation  
7 of proper documentation. The State Treasurer shall pay the warrants  
8 out of the appropriate funds.

9 Sec. 6. It is the intent of the Legislature that the  
10 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 FY2011-12 and FY2012-13, 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 the  
18 Department of Administrative Services. Projects directly related to  
19 program continuation such as fire and life safety, maintenance,  
20 utility improvements, handicapped access, and master planning require  
21 a statement of needs prepared in accordance with the manual. An  
22 appropriation for drawings and construction may be recommended only  
23 after submission of an acceptable program statement or statement of  
24 needs on or before September 15 to the state building division, the  
25 budget division of the Department of Administrative Services, and the

1 Legislative Fiscal Analyst.

2 Program statements that have been submitted prior to  
 3 FY2011-12 shall be updated if necessary and resubmitted during the  
 4 period July 1, 2011, to September 1, 2011. Program statements that  
 5 have been submitted prior to FY2012-13 shall be updated if necessary  
 6 and resubmitted during the period July 1, 2012, to September 1, 2012,  
 7 by agency priority. Such priority shall be subject to final  
 8 modification by the governing authority of each agency on or before  
 9 September 15, 2012.

10 Sec. 7. It is the intent of the Legislature that agencies  
 11 should construct or renovate facilities in such a manner as to  
 12 provide the greatest cost-effective energy savings possible. Design  
 13 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. 25 - DEPARTMENT OF HEALTH AND HUMAN  
 21 SERVICES

22 Program No. 902 - Bridges Program Relocation

	FY2011-12	FY2012-13	FUTURE
24 NEBRASKA CAPITAL	450,000	1,049,433	-0-
25 CONSTRUCTION FUND			

1 PROGRAM TOTAL 450,000 1,049,433 -0-

2 The Department of Health and Human Services is hereby  
 3 authorized to design and construct secure housing for persons with  
 4 developmental disabilities. The housing authorized in this section  
 5 shall be used to relocate the Bridges program operated at the  
 6 Hastings Regional Center.

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

8 Program No. 900 - State Park System Facility Improvements

	FY2011-12	FY2012-13	FUTURE
9 CASH FUND	335,000	325,000	-0-
10 PROGRAM TOTAL	335,000	325,000	-0-

12 The Game and Parks Commission is hereby authorized to  
 13 maintain and improve basic facilities of the state park system. There  
 14 is included in the appropriation to this program for FY2011-12  
 15 \$75,000 cash funds and for FY2012-13 \$75,000 cash funds for this  
 16 purpose.

17 The Game and Parks Commission is hereby authorized to  
 18 develop new, maintain, and improve boating facilities. There is  
 19 included in the appropriation to this program for FY2011-12 \$260,000  
 20 cash funds and for FY2012-13 \$250,000 cash funds for this purpose.

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

22 Program No. 901 - State Parks Facilities Deferred  
 23 Maintenance

	FY2011-12	FY2012-13	FUTURE
24			

1	CASH FUND	300,000	300,000	-0-
2	PROGRAM TOTAL	300,000	300,000	-0-

3                   The Game and Parks Commission is hereby authorized to  
 4 make deferred repairs and maintenance improvements at facilities in  
 5 the state park system and replace and upgrade facilities in the state  
 6 park system with the appropriation to this program.

7                   Sec. 11. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
 8                   Program No. 924 - Wildlife Land Acquisition and  
 9 Improvements

10		FY2011-12	FY2012-13	FUTURE
11	CASH FUND	300,000	300,000	-0-
12	PROGRAM TOTAL	300,000	300,000	-0-

13                   The Game and Parks Commission is hereby authorized to  
 14 acquire and develop wildlife lands and waters statewide with the  
 15 appropriation to this program.

16                   Sec. 12. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
 17                   Program No. 955 - Youth Outdoors Skills Camp Facility

18		FY2011-12	FY2012-13	FUTURE
19	CASH FUND	1,000,000	1,000,000	-0-
20	PROGRAM TOTAL	1,000,000	1,000,000	-0-

21                   The Game and Parks Commission is hereby authorized to  
 22 develop a youth skills camp facility to provide education and promote  
 23 outdoor skills.

24                   Sec. 13. AGENCY NO. 33 – GAME AND PARKS COMMISSION

1	Program No. 960 - Land Acquisition for Parklands			
2		FY2011-12	FY2012-13	FUTURE
3	CASH FUND	100,000	100,000	-0-
4	PROGRAM TOTAL	100,000	100,000	-0-

5           The Game and Parks Commission is hereby authorized to  
 6 acquire property adjacent to state parks, recreational areas, and  
 7 historical parks from willing sellers to add recreational  
 8 opportunities and protect resources.

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

10	Program No. 967 - Improvements to State Parks			
11		FY2011-12	FY2012-13	FUTURE
12	CASH FUND	241,500	575,400	-0-
13	PROGRAM TOTAL	241,500	575,400	-0-

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

17           It is intended that the following projects be undertaken  
 18 with funds appropriated to this program for FY2011-12:

19           Paint aquatic center equipment - Mahoney State Park -  
 20 \$30,000

21           Cabin renovations - Mahoney State Park - \$150,000

22           Outdoor Education Facility - Niobrara State Park -  
 23 \$50,000

24           Major state park contingency for cost overruns in Program

1 967 - Improvements to State Parks - \$11,500

2 It is intended that the following projects be undertaken  
 3 with the funds appropriated to this program for FY2012-13:

4 Cabin renovations - Mahoney State Park - \$150,000

5 Lodge carpet upgrade - Mahoney State Park - \$150,000

6 Renovate pavilion flooring - Platte River State Park -  
 7 \$68,000

8 Replace heating/air conditioning Comanche Hall - Fort  
 9 Robinson - \$180,000

10 Major state park contingency for cost overruns in Program  
 11 967 - Improvements to State Parks - \$27,400

12 Sec. 15. AGENCY NO. 33 - GAME AND PARKS COMMISSION

13 Program No. 968 - State Historical Parks

	FY2011-12	FY2012-13	FUTURE
14 CASH FUND	10,500	-0-	-0-
15 PROGRAM TOTAL	10,500	-0-	-0-

17 The Game and Parks Commission is hereby authorized to  
 18 update the fire alarm system at Buffalo Bill State Historical Park  
 19 and provide contingency funds for state historical parks.

20 Sec. 16. AGENCY NO. 33 - GAME AND PARKS COMMISSION

21 Program No. 969 - Improvements to State Recreation Areas

	FY2011-12	FY2012-13	FUTURE
22 CASH FUND	703,500	357,000	-0-
23 PROGRAM TOTAL	703,500	357,000	-0-



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

4           It is intended that the following projects be undertaken  
5 with funds appropriated to this program for FY2011-12:

6           New sewer lagoon and septics - Fort Kearny State  
7 Recreation Area - \$150,000

8           Addition and upgrade Group Building - Fremont State  
9 Recreation Area - \$100,000

10          Water lines repair and upgrade - Lewis and Clark State  
11 Recreation Area - \$20,000

12          Replace concrete apron at marina - Lewis and Clark State  
13 Recreation Area - \$25,000

14          Boat ramp repairs - Lake McConaughy/Lake Ogallala -  
15 \$60,000

16          New cabins - Medicine Creek State Recreation Area -  
17 \$215,000

18          Contingency funds - State Recreation Areas - \$28,500

19          Shower/latrine facility - Lake Wanahoo - \$75,000

20          Shop/maintenance facility - Lake Wanahoo - \$30,000

21          It is intended that the following projects be undertaken  
22 with funds appropriated to this program for FY2012-13:

23          Electrical hook-ups - Summit State Recreation Area -  
24 \$20,000

25          Expand electrical and upgrade old units - Lake Ogallala -

1 \$50,000  
 2 Provide electrical service to 57 units - Two Rivers State  
 3 Recreation Area - \$60,000  
 4 Shower/latrine facilities - Calamus Reservoir State  
 5 Recreation Area - \$150,000  
 6 Electrical hook-ups in Area 4 - Branched Oak State  
 7 Recreation Area - \$60,000  
 8 Contingency funds - State Recreation Areas - \$17,000  
 9 Sec. 17. AGENCY NO. 33 - GAME AND PARKS COMMISSION  
 10 Program No. 971 - Improvements to Special Use Areas  
 11 (Wildlife Management Areas)

	FY2011-12	FY2012-13	FUTURE
12 CASH FUND	325,000	325,000	-0-
13 PROGRAM TOTAL	325,000	325,000	-0-

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

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

	FY2011-12	FY2012-13	FUTURE
21 CASH FUND	155,000	75,000	-0-
22 PROGRAM TOTAL	155,000	75,000	-0-

24 The Game and Parks Commission is hereby authorized to

1 make general improvements and repairs to administrative offices.

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

3 Program No. 973 - Improvements to Fish Production  
4 Facilities

	FY2011-12	FY2012-13	FUTURE
6 CASH FUND	75,000	75,000	-0-
7 PROGRAM TOTAL	75,000	75,000	-0-

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

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

13 Program No. 975 - Emergency Repairs to State Park System  
14 Areas

	FY2011-12	FY2012-13	FUTURE
16 CASH FUND	75,000	75,000	-0-
17 PROGRAM TOTAL	75,000	75,000	-0-

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

21 Sec. 21. AGENCY NO. 33 - GAME AND PARKS COMMISSION

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

	FY2011-12	FY2012-13	FUTURE
24			

1	CASH FUND	50,000	50,000	-0-
2	PROGRAM TOTAL	50,000	50,000	-0-

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

7                   Sec. 22. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
 8                   Program No. 979 - Cowboy Trail - Emergency and Deferred  
 9 Maintenance

10		FY2011-12	FY2012-13	FUTURE
11	CASH FUND	175,000	-0-	-0-
12	PROGRAM TOTAL	175,000	-0-	-0-

13                   The Game and Parks Commission is hereby authorized to  
 14 make repairs to the Cowboy Trail.

15                   Sec. 23. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
 16                   Program No. 981 - Aquatic Habitat Enhancement and  
 17 Restoration

18		FY2011-12	FY2012-13	FUTURE
19	CASH FUND	3,500,000	2,500,000	-0-
20	PROGRAM TOTAL	3,500,000	2,500,000	-0-

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

24                   Sec. 24. AGENCY NO. 33 – GAME AND PARKS COMMISSION

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

8                   Sec. 25. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL  
 9 SERVICES

10                   Program No. 913 - Security Systems Upgrade

	FY2011-12	FY2012-13	FUTURE
11                   GENERAL FUND	500,000	500,000	500,000
12                   PROGRAM TOTAL	500,000	500,000	500,000

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

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

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

21                   Replace Perimeter Security Fencing on Old Campus -  
 22 Nebraska Correctional Center for Women

23                   Replace Perimeter Detection System - Lincoln Correctional  
 24 Center/Diagnostic and Evaluation Center

25                   Install Rooftop Security Fence Above Front Entrance -

1 Lincoln Correctional Center  
 2                   Install Rooftop Security Fence Above Entrance -  
 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. 26. AGENCY NO. 47 - NEBRASKA EDUCATIONAL  
 16 TELECOMMUNICATIONS COMMISSION  
 17                   Program No. 910 - Transition from Satellite to Fiber  
 18 Delivery

	FY2011-12	FY2012-13	FUTURE
20 GENERAL FUND	225,000	-0-	-0-
21 PROGRAM TOTAL	225,000	-0-	-0-

22                   The Nebraska Educational Telecommunications Commission is  
 23 hereby authorized to transition from a satellite distribution system  
 24 to a fiber optic distribution system. Funding is provided to  
 25 partially offset nonrecurring startup costs for the telecommunication

1 equipment, facilities, and hardware to convert to a fiber optic  
 2 distribution system.

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

5           Program No. 926 - KLNE Transmission Tower Replacement

	FY2011-12	FY2012-13	FUTURE
6 CASH FUND	202,631	-0-	-0-
7 PROGRAM TOTAL	202,631	-0-	-0-

9           Additional funding is provided in order to enable the  
 10 Nebraska Educational Telecommunications Commission to expend  
 11 additional funding provided by the Corporation for Public  
 12 Broadcasting.

13           Sec. 28. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE  
 14 NEBRASKA STATE COLLEGES

15           Program No. 919 - State College Facilities Program

	FY2011-12	FY2012-13	FUTURE
16 GENERAL FUND	1,125,000	1,125,000	7,875,000
17 REVOLVING FUND est.	1,200,000	1,200,000	8,400,000
18 PROGRAM TOTAL	2,325,000	2,325,000	16,275,000

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 to  
 22 make expenditures from the State College Facilities Program  
 23 exclusively for deferred maintenance, repair, and renovation projects  
 24

1 outlined in section 6 of LB 605.

2           Sec. 29. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE  
3 NEBRASKA STATE COLLEGES

4           Program No. 920 - Board Facilities Fee Fund Projects

	FY2011-12	FY2012-13	FUTURE
5           REVOLVING FUND est.	915,000	915,000	8,235,000
6           PROGRAM TOTAL	915,000	915,000	8,235,000

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

13           Sec. 30. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

14           Program No. 920 - University of Nebraska Facilities  
15 Program

	FY2011-12	FY2012-13	FUTURE
16           GENERAL FUND	11,000,000	11,000,000	77,000,000
17           CASH FUND est.	11,000,000	11,000,000	72,632,546
18           PROGRAM TOTAL	22,000,000	22,000,000	149,632,546

19           The Legislature hereby acknowledges and reaffirms the  
20 directive made by Laws 2006, LB 605, sections 2, 3, and 4, which  
21 authorizes the Board of Regents to make expenditures from  
22 appropriated funds for the University of Nebraska Facilities Program  
23  
24



1 exclusively for deferred maintenance, repair, renovation, facility  
 2 renovation, and facility replacement projects as outlined in section  
 3 3 of LB 605.

4 Sec. 31. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

5 Program No. 921 - Nebraska Innovation Campus, University  
 6 of Nebraska-Lincoln

	FY2011-12	FY2012-13	FUTURE
8 NEBRASKA CAPITAL	16,862,500	8,137,500	-0-
9 CONSTRUCTION FUND			
10 PROGRAM TOTAL	16,862,500	8,137,500	-0-

11 The Board of Regents of the University of Nebraska is  
 12 hereby authorized to design and renovate the 4-H Building on the  
 13 University of Nebraska-Lincoln's Innovation Campus, subject to the  
 14 receipt of any required project approval from the Coordinating  
 15 Commission for Postsecondary Education as found in subsection (10) of  
 16 section 85-1414. The total project cost to be supported from state  
 17 funds is \$10,000,000. Nonstate tax funds may be used to supplement  
 18 the project. The total project cost is estimated at \$20,000,000.

19 The Board of Regents of the University of Nebraska is  
 20 hereby authorized to design and build the Food, Fuel, and Water  
 21 Research Building on the University of Nebraska-Lincoln's Innovation  
 22 Campus, subject to the receipt of any required project approval from  
 23 the Coordinating Commission for Postsecondary Education as found in  
 24 subsection (10) of section 85-1414. The total project cost to be  
 25 supported from state funds is \$15,000,000. Nonstate tax funds may be

1 used to supplement the project. The total project cost is estimated  
2 at \$40,000,000.

3           Sec. 32. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
4           Program No. 930 - Nebraska College of Technical  
5 Agriculture at Curtis Education Center

	FY2011-12	FY2012-13	FUTURE
7 GENERAL FUND	-0-	800,000	10,386,135
8 NEBRASKA CAPITAL	800,000	-0-	-0-
9 CONSTRUCTION FUND			
10 PROGRAM TOTAL	800,000	800,000	10,386,135

11           The Board of Regents of the University of Nebraska is  
12 hereby authorized to design and construct an Education Center at the  
13 Nebraska College of Technical Agriculture at Curtis. The total  
14 project cost to be supported from state funds is \$8,762,000. Nonstate  
15 tax funds of \$1,000,000 shall be used to supplement the project.

16           The Board of Regents may enter into long-term financing  
17 contracts with any person, firm, or corporation for the Education  
18 Center project. The payments of the costs of the project may occur  
19 over a contract period not to extend beyond June 30, 2025. The Board  
20 of Regents shall not pledge the credit of the State of Nebraska for  
21 the payment of any sum owing on account of such contracts, except  
22 that there may be pledged for payment of any such contracts any  
23 appropriations made by the Legislature for such purpose. No contracts  
24 shall be entered into pursuant to this section without prior approval

1 by resolution of the Board of Regents. The Board of Regents may  
 2 schedule contractual payments on a monthly, quarterly, or semiannual  
 3 basis consistent with the state fiscal year. On or before August 31,  
 4 2025, any funds appropriated from the Nebraska Capital Construction  
 5 Fund and the General Fund for the project held in the state treasury  
 6 and held by any trustee which are not necessary to meet the terms of  
 7 any long-term financing agreements entered into pursuant to this  
 8 section shall be transferred to the General Fund.

9           Sec. 33. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE  
 10 SERVICES

11                   Program No. 901 - State Capitol Improvements

	FY2011-12	FY2012-13	FUTURE
12           GENERAL FUND	150,000	150,000	-0-
13           PROGRAM TOTAL	150,000	150,000	-0-

14                   There is included in the appropriation to this program  
 15 for FY2011-12 \$150,000 from the General Fund and for FY2012-13  
 16 \$150,000 from the General Fund for conservation and restoration of  
 17 Capitol space occupied by the Legislature.  
 18

19           Sec. 34. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE  
 20 SERVICES

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

	FY2011-12	FY2012-13	FUTURE
23           GENERAL FUND	1,027,233	1,027,233	-0-

1 PROGRAM TOTAL 1,027,233 1,027,233 -0-

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

11 There is included in the appropriation to this program  
 12 for FY2011-12 \$1,027,233 from the General Fund for costs of radio  
 13 towers and network equipment and to initiate and continue repayment  
 14 of project financing.

15 There is included in the appropriation to this program  
 16 for FY2012-13 \$1,027,233 from the General Fund for costs of radio  
 17 towers and network equipment and to initiate and continue repayment  
 18 of project financing.

19 Sec. 35. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE  
 20 SERVICES

21 Program No. 940 - Task Force for Building Renewal

	FY2011-12	FY2012-13
22 CASH FUND	21,273,930	21,273,930
23 PROGRAM TOTAL	21,273,930	21,273,930

24 The Legislature hereby acknowledges and reaffirms the

1 directive made by section 77-2602, which is to place amounts from the  
2 special privilege tax on cigarettes in the Building Renewal  
3 Allocation Fund for FY1997-98 and continuing each fiscal year until  
4 all the purposes of the Deferred Building Renewal Act have been  
5 fulfilled. The Legislature hereby further acknowledges and reaffirms  
6 directives made by sections 81-188.01, 81-188.03, and 81-188.05 to  
7 utilize amounts from certain depreciation charges credited to the  
8 State Building Renewal Assessment Fund, University Building Renewal  
9 Assessment Fund, and State College Building Renewal Assessment Fund  
10 for purposes as provided in the Deferred Building Renewal Act.

11           The appropriation to this program is for the purpose of  
12 carrying out the provisions of the Deferred Building Renewal Act  
13 which includes deferred repair, fire and life safety projects, and  
14 compliance with the federal Americans with Disabilities Act (ADA) of  
15 1990. Funds may also be spent on projects related to energy  
16 conservation. There is hereby appropriated any available federal  
17 funds, plus investment income thereon, for this program for FY2011-12  
18 and FY2012-13. There is included in the appropriation to this program  
19 for FY2011-12 an amount not to exceed \$200,000 cash funds and for  
20 FY2012-13 an amount not to exceed \$200,000 cash funds for building  
21 maintenance and renewal training, roof scans and other testing  
22 procedures, and consulting work.

23           The funds appropriated in this section for actual  
24 deferred repair, fire and life safety, compliance with the federal  
25 Americans with Disabilities Act of 1990, and energy conservation

1 shall be matched by federal, private, and agency General, Cash, and  
2 Revolving Funds as determined by the Task Force for Building Renewal.

3           None of the funds appropriated to this program shall be  
4 used for operating budget compliance with the federal Americans with  
5 Disabilities Act of 1990. Expenditures for deferred repair, fire and  
6 life safety projects, and compliance with the federal Americans with  
7 Disabilities Act of 1990 may be made through the same program on the  
8 Allotment Status Report in the Nebraska Information System, except  
9 that expenditures for deferred repair, fire and life safety projects,  
10 and compliance with the federal Americans with Disabilities Act of  
11 1990 shall each be kept separate by subprogram on the Budget Status  
12 Report in the Nebraska Information System or through the use of the  
13 Grant Project Status Report or some other accounting mechanism.

14           Sec. 36. There is hereby appropriated, unless otherwise  
15 specified, for FY2011-12 and for FY2012-13 from undisbursed balances  
16 existing on June 30, 2011, and on June 30, 2012, respectively, to  
17 each agency for each program from the respective funds for capital  
18 construction as follows:

19           (1) Agency No. 25 - Department of Health and Human  
20 Services

21           Program Nos. 902, 906, 923, 926, and 931.

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

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

1 indefinitely postponed.

2 (3) Agency No. 28 - Department of Veterans' Affairs  
3 Program No. 937 - Alliance State Veterans' Cemetery.

4 (4) Agency No. 31 - Military Department  
5 Program Nos. 905, 906, 910, and 925.

6 (5) Agency No. 33 - Game and Parks Commission  
7 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967,  
8 968, 969, 971, 972, 973, 975, 976, 977, 979, and 981.

9 (6) Agency No. 46 - Department of Correctional Services  
10 Program Nos. 913, 916, and 920.

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

13 Program Nos. 922, 925, and 926.

14 (8) Agency No. 50 - Board of Trustees of the Nebraska  
15 State Colleges

16 Program Nos. 901, 919, 920, 921, 941, 942, 951, 952, 954,  
17 and 993, and any additional construction programs administratively  
18 created relating to the Board of Trustees of the Nebraska State  
19 Colleges and its campuses which are funded through cash funds,  
20 federal funds, revolving funds, or private gifts or donations.

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

22 Program Nos. 901, 902, 903, 905, 906, 907, 908, 909, 912,  
23 915, 917, 918, 920, 921, 922, 925, 927, 928, 930, 932, 934, 937, 941,  
24 942, 943, 944, 946, 947, 948, 949, 951, 952, 953, 954, 955, 956, 958,  
25 959, 960, 962, 963, 964, 965, 966, 967, 968, 969, 970, 973, 974, 975,

1 976, 978, 980, 982, 983, 985, 988, 989, 990, 991, 992, 993, 994, 995,  
2 and 997, and any additional construction programs administratively  
3 created relating to the University of Nebraska-Lincoln, the  
4 University of Nebraska at Omaha, the University of Nebraska Medical  
5 Center, the University of Nebraska at Kearney, the Nebraska College  
6 of Technical Agriculture at Curtis, and the University of Nebraska  
7 Central Administration which are funded through cash funds, federal  
8 funds, revolving funds, or private gifts or donations.

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

11 Program Nos. 901, 924, 933, 935, 939, 940, 980, 981, and  
12 982

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

15 Sec. 37. FEDERAL FUNDS.

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

22 Sec. 38. GIFTS, BEQUESTS, AND DEVISES.

23 Any gift, bequest, or devise made available to the State  
24 of Nebraska for any purpose or purposes, together with the income  
25 thereof, shall be allocated to the expending agency designated by



1 such donor or, if none is designated by such donor, by the Governor.

2 Acceptance of a gift, bequest, or devise shall be subject  
3 to approval by the expending agency and the following restrictions:

4 (1) No matching of state funds shall be required as a  
5 condition of acceptance;

6 (2) Any gift or bequest of personal property in excess of  
7 \$10,000 shall be approved by the Governor before acceptance;

8 (3) Any gift or devise of real property in excess of  
9 \$10,000 shall be approved by the Governor and the Legislature before  
10 acceptance pursuant to sections 81-176 and 81-1108.33; and

11 (4) Any gift, bequest, or devise the proceeds of which  
12 are used to acquire real property, a structure, or an improvement  
13 shall be approved by the Governor and the Legislature before  
14 acceptance pursuant to sections 81-176 and 81-1108.33.

15 For purposes of this section, gifts, bequests, and  
16 devises shall include, but not be limited to, donations, gifts,  
17 bequests, devises, and grants from individuals, organizations,  
18 corporations, and similar entities and from nonfederal governmental  
19 agencies.

20 At the discretion of the budget administrator of the  
21 budget division of the Department of Administrative Services and the  
22 Accounting Administrator of the Department of Administrative  
23 Services, expenditures of funds from any gift, bequest, or devise may  
24 be expended through any existing or administratively created cash  
25 fund account, revolving fund account, or trust fund account, in which

1 case the actual amount of the gift, bequest, or devise is hereby  
2 appropriated to the expending agency, for the purpose or purposes  
3 designated by the donor, in addition to the amounts appropriated in  
4 this act. If no such cash fund account, revolving fund account, or  
5 trust fund account exists, the Accounting Administrator may create  
6 such fund account as is necessary to properly and separately account  
7 for the gift, bequest, or devise, in which case the actual amount of  
8 the gift, bequest, or devise is hereby appropriated to the expending  
9 agency, for the purpose or purposes designated by the donor, in  
10 addition to the amounts appropriated in this act.

11           This section shall not apply to the University of  
12 Nebraska.

13           Sec. 39. The One Hundred Second Legislature acknowledges  
14 that Article III, section 22, of the Constitution of Nebraska  
15 provides that each Legislature shall make appropriations for the  
16 expenses of the government. Consistent with this provision, any  
17 appropriations enacted by prior Legislatures for fiscal years  
18 beginning after June 30, 2011, are null and void unless specifically  
19 reaffirmed by this Legislature.

20           Sec. 40. This act becomes operative on July 1, 2011.

21           Sec. 41. Since an emergency exists, this act takes effect  
22 when passed and approved according to law.