

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 330

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

Read first time January 12, 2017

Committee: Appropriations

- 1 A BILL FOR AN ACT relating to appropriations; to define terms; to
- 2 appropriate funds for capital construction and property acquisition
- 3 as prescribed; to state intent; to require program statements and a
- 4 request for funding; to provide an operative date; and to declare an
- 5 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 passed by
3 the One Hundred Fifth Legislature, First or Second Session, which
4 appropriates funds, FY2017-18 means the period July 1, 2017, through June
5 30, 2018, FY2018-19 means the period July 1, 2018, through June 30, 2019,
6 FY2019-20 means the period July 1, 2019, through June 30, 2020, and
7 FY2020-21 means the period July 1, 2020, through June 30, 2021.

8 Sec. 2. APPROPRIATION LANGUAGE.

9 There are hereby appropriated, for FY2017-18 and FY2018-19, the sums
10 set forth in this act to each agency for each program from the respective
11 funds for capital construction projects, land acquisition, lease-purchase
12 arrangements, and major equipment acquisition, except as otherwise
13 appropriated.

14 Sec. 3. REAPPROPRIATION OF BALANCE, FY2017-18 to FY2018-19.

15 In addition to the appropriations set forth in this act, there are
16 hereby reappropriated all unexpended appropriation balances existing on
17 June 30, 2018, for FY2018-19 to the respective agencies, programs, and
18 funds listed in this act, except as otherwise provided in this act.

19 Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

20 The definitions contained in the Nebraska Accounting System Manual,
21 and any amendments thereto, on file with the Clerk of the Legislature are
22 hereby adopted by the Legislature as the definitions for this act.

23 Sec. 5. DRAWING AND PAYING WARRANTS.

24 The Director of Administrative Services shall draw warrants upon the
25 proper fund in the state treasury for an amount not to exceed the
26 appropriations set forth in this act upon presentation of proper
27 documentation. The State Treasurer shall pay the warrants out of the
28 appropriate funds.

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

1 existing facilities.

2 The biennial appropriations contained in this act covering FY2017-18
3 and FY2018-19, which have been designated for planning, require from the
4 agency a complete program statement prepared in accordance with the
5 Procedural Manual for Capital Construction as approved by the state
6 building division of the Department of Administrative Services. Projects
7 directly related to program continuation such as fire and life safety,
8 maintenance, utility improvements, handicapped access, and master
9 planning require a statement of needs prepared in accordance with the
10 manual. An appropriation for drawings and construction may be recommended
11 only after submission of an acceptable program statement or statement of
12 needs on or before September 15 to the state building division, the
13 budget division of the Department of Administrative Services, and the
14 Legislative Fiscal Analyst.

15 Program statements that have been submitted prior to FY2017-18 shall
16 be updated if necessary and resubmitted during the period July 1, 2017,
17 to September 1, 2017. Program statements that have been submitted prior
18 to FY2018-19 shall be updated if necessary and resubmitted during the
19 period July 1, 2018, to September 1, 2018, by agency priority. Such
20 priority shall be subject to final modification by the governing
21 authority of each agency on or before September 15, 2018.

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

1 military master capital construction project agreements with the National
2 Guard Bureau. Projects include, but are not limited to, building renewal
3 co-op funding projects as well as other capital construction projects
4 involving the department's Kearney, Lincoln, and Camp Ashland facilities.

5 Sec. 11. AGENCY NO. 31 – MILITARY DEPARTMENT

6 Program No. 990 - Bellevue Readiness Center Design

	FY2017-18	FY2018-19	FUTURE
8 CASH FUND	143,000	-0-	-0-
9 PROGRAM TOTAL	143,000	-0-	-0-

10 The Military Department is hereby authorized to proceed with the
11 design costs only related to a new National Guard Readiness Center at
12 Offutt Air Force Base in Bellevue, Nebraska.

13 Sec. 12. AGENCY NO. 33 – GAME AND PARKS COMMISSION

14 Program No. 900 - State Park System Facility Improvements

	FY2017-18	FY2018-19	FUTURE
16 CASH FUND	1,210,000	1,170,000	-0-
17 PROGRAM TOTAL	1,210,000	1,170,000	-0-

18 The Game and Parks Commission is hereby authorized to develop new,
19 maintain, and improve boating facilities.

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

21 Program No. 901 - State Parks Facilities Deferred Maintenance

	FY2017-18	FY2018-19	FUTURE
23 CASH FUND	2,260,500	2,510,000	-0-
24 PROGRAM TOTAL	2,260,500	2,510,000	-0-

25 The Game and Parks Commission is hereby authorized to make deferred
26 repairs and maintenance improvements at facilities in the state park
27 system and replace and upgrade facilities in the state park system with
28 the appropriation to this program.

29 Sec. 14. AGENCY NO. 33 – GAME AND PARKS COMMISSION

30 Program No. 924 - Wildlife Land Acquisition and Improvement

	FY2017-18	FY2018-19	FUTURE
1			
2 CASH FUND	1,000,000	-0-	-0-
3 PROGRAM TOTAL	1,000,000	-0-	-0-

4 The Game and Parks Commission is hereby authorized to acquire and
5 develop wildlife lands and waters statewide with the appropriation to
6 this program.

7 Sec. 15. AGENCY NO. 33 – GAME AND PARKS COMMISSION

8 Program No. 960 - Park and Recreation Land Acquisition

	FY2017-18	FY2018-19	FUTURE
9			
10 CASH FUND	100,000	100,000	-0-
11 PROGRAM TOTAL	100,000	100,000	-0-

12 The Game and Parks Commission is hereby authorized to acquire
13 property adjacent to state parks, recreational areas, and historical
14 parks from willing sellers to add recreational opportunities and protect
15 resources.

16 Sec. 16. AGENCY NO. 33 – GAME AND PARKS COMMISSION

17 Program No. 967 - Improvements to State Parks

	FY2017-18	FY2018-19	FUTURE
18			
19 CASH FUND	100,000	-0-	-0-
20 PROGRAM TOTAL	100,000	-0-	-0-

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

23 Sec. 17. AGENCY NO. 33 – GAME AND PARKS COMMISSION

24 Program No. 969 - Improvements to State Recreation Areas

	FY2017-18	FY2018-19	FUTURE
25			
26 CASH FUND	1,350,000	1,200,000	-0-
27 PROGRAM TOTAL	1,350,000	1,200,000	-0-

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

1 Sec. 18. AGENCY NO. 33 – GAME AND PARKS COMMISSION

2 Program No. 975 - Emergency Repairs - Parks

	FY2017-18	FY2018-19	FUTURE
4 CASH FUND	200,000	200,000	-0-
5 PROGRAM TOTAL	200,000	200,000	-0-

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

9 Sec. 19. AGENCY NO. 33 – GAME AND PARKS COMMISSION

10 Program No. 979 - Cowboy Trail Emergency Repairs

	FY2017-18	FY2018-19	FUTURE
12 CASH FUND	100,000	100,000	-0-
13 PROGRAM TOTAL	100,000	100,000	-0-

14 The Game and Parks Commission is hereby authorized to make repairs
15 to the Cowboy Trail with the appropriation to this program.

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

17 Program No. 981 - Aquatic Habitat Enhancement and Restoration

	FY2017-18	FY2018-19	FUTURE
19 CASH FUND	2,500,000	2,500,000	-0-
20 PROGRAM TOTAL	2,500,000	2,500,000	-0-

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

24 Sec. 21. AGENCY NO. 33 – GAME AND PARKS COMMISSION

25 It is the intent of the Legislature that the Game and Parks
26 Commission shall apply for and make maximum use of federal funding on all
27 capital construction projects which are eligible for such assistance. It
28 is the intent of the Legislature that all funds appropriated to the Game
29 and Parks Commission for capital construction projects shall only be
30 spent for the purpose of the original appropriation.

31 Sec. 22. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

1 Program No. 913 - Security System Upgrades

2		FY2017-18	FY2018-19	FUTURE
3	NEBRASKA CAPITAL			
4	CONSTRUCTION FUND	552,500	552,500	-0-
5	PROGRAM TOTAL	552,500	552,500	-0-

6 The Department of Correctional Services is hereby authorized to
7 upgrade security system components at various Department of Correctional
8 Services facilities statewide, including, but not limited to, camera
9 upgrades at the McCook Work Ethic Camp, the Community Corrections Center
10 Lincoln, the Nebraska Secure Youth Facility, and the Omaha Correctional
11 Center; lighting upgrades at the Community Corrections Center Omaha;
12 additional fencing at the Lincoln Correctional Center, the Diagnostic and
13 Evaluation Center, and the Nebraska State Penitentiary; and fence
14 detection system and vehicle sally-port improvements at the Nebraska
15 Center for Women.

16 Sec. 23. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

17 Program No. 914 - Infrastructure and Maintenance

18		FY2017-18	FY2018-19	FUTURE
19	NEBRASKA CAPITAL			
20	CONSTRUCTION FUND	1,300,000	1,300,000	-0-
21	PROGRAM TOTAL	1,300,000	1,300,000	-0-

22 The Department of Correctional Services is hereby authorized to
23 undertake various high priority infrastructure and maintenance projects
24 related to facility roofing, electrical, boiler/chiller/HVAC, fire life
25 safety, and other needs, which projects the Task Force for Building
26 Renewal is unable to fully address.

27 Sec. 24. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

28 Program No. 921 - Tecumseh Correctional Center Bay Addition

29		FY2017-18	FY2018-19	FUTURE
30	REVOLVING FUND	2,300,000	1,360,000	-0-
31	PROGRAM TOTAL	2,300,000	1,360,000	-0-

1 The Department of Correctional Services is hereby authorized to
2 construct an approximately ten thousand square foot bay to the existing
3 Cornhusker State Industry Building located at the Tecumseh Correctional
4 Center. The addition is intended for a new canteen packaging operation
5 for Cornhusker State Industries.

6 Sec. 25. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

7 Program No. 927 - Community Corrections Renovation and Expansion

	FY2017-18	FY2018-19	FUTURE
8 NEBRASKA CAPITAL			
9 CONSTRUCTION FUND	12,743,519	8,103,520	-0-
10 PROGRAM TOTAL	12,743,519	8,103,520	-0-

11
12 The Department of Correctional Services is hereby authorized to
13 continue the design, construction, renovation, and repurposing of
14 community corrections bed space at the department's Community Corrections
15 Center facilities in Lincoln and Omaha.

16 Sec. 26. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

17 Program No. 928 - Reception and Treatment Center

	FY2017-18	FY2018-19	FUTURE
18 NEBRASKA CAPITAL			
19 CONSTRUCTION FUND	14,171,102	26,162,038	34,882,173
20 PROGRAM TOTAL	14,171,102	26,162,038	34,882,173

21
22 The Department of Correctional Services is hereby authorized to
23 plan, design, renovate, and consolidate the department's Lincoln
24 Correctional Center and the Diagnostic and Evaluation Center facilities,
25 as well as plan, design, and construct up to three hundred new beds for
26 behavioral health, geriatric, and long-term medical needs for the purpose
27 of creating a new Reception and Treatment Center.

28 Sec. 27. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
29 COMMISSION

30 Program No. 907 - KHNE Hastings Transmitter

	FY2017-18	FY2018-19	FUTURE
31			

1 NEBRASKA CAPITAL

2 CONSTRUCTION FUND 365,000 -0- -0-

3 The Nebraska Educational Telecommunications Commission is authorized
4 to replace the transmitter at KHNE Hastings.

5 Sec. 28. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
6 COMMISSION

7 Program No. 908 - Tower Lighting Project

8 FY2017-18 FY2018-19 FUTURE

9 NEBRASKA CAPITAL

10 CONSTRUCTION FUND -0- 125,000 -0-

11 The Nebraska Educational Telecommunications Commission is authorized
12 to replace the tower lighting system at KHNE Hastings.

13 Sec. 29. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
14 COLLEGES

15 Program No. 903 - State Colleges Facilities - Sports Facilities
16 Projects

17 FY2017-18 FY2018-19 FUTURE

18 CASH FUND 300,000 300,000 3,000,000

19 PROGRAM TOTAL 300,000 300,000 3,000,000

20 The Board of Trustees of the Nebraska State Colleges is hereby
21 authorized to renovate and construct or improve facilities for
22 intercollegiate athletics and student fitness, recreation, and sport
23 activities at the Nebraska State Colleges.

24 Sec. 30. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
25 COLLEGES

26 Program No. 919 - State College Facilities Program of 2006

27 FY2017-18 FY2018-19 FUTURE

28 GENERAL FUND 1,125,000 1,125,000 12,375,000

29 REVOLVING FUND est. 1,200,000 1,200,000 15,600,000

30 PROGRAM TOTAL 2,325,000 2,325,000 27,975,000

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

7 Sec. 31. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
8 COLLEGES

9 Program No. 920 - Board Facilities Fee Fund Projects

	FY2017-18	FY2018-19	FUTURE
11 REVOLVING FUND est.	950,000	950,000	10,450,000
12 PROGRAM TOTAL	950,000	950,000	10,450,000

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

19 Sec. 32. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
20 COLLEGES

21 Program No. 933 - Chadron State College Rangeland Center and Wayne
22 State College U.S. Conn Library

	FY2017-18	FY2018-19	FUTURE
24 GENERAL FUND	2,216,000	2,216,000	4,432,000
25 PROGRAM TOTAL	2,216,000	2,216,000	4,432,000

26 The Board of Trustees of the Nebraska State Colleges is authorized
27 to construct laboratory, classroom, office, and herbarium space for a
28 Rangeland Center at Chadron State College. The amount of Rangeland Center
29 project costs to be met by appropriations pursuant to this section is
30 estimated at \$3,696,470. The board is also authorized to renovate the
31 U.S. Conn Library at Wayne State College. The amount of U.S. Conn Library

1 project costs to be met by appropriations pursuant to this section is
2 estimated at \$12,000,000. The board is further authorized to expend such
3 other amounts as it may secure from other sources for completion of the
4 projects.

5 Beginning with the fiscal year commencing July 1, 2013, and
6 continuing through the fiscal year ending June 30, 2021, the Legislature
7 shall appropriate each fiscal year from the General Fund an amount not
8 less than \$2,216,000 to be used by the Board of Trustees of the Nebraska
9 State Colleges to pay the costs of constructing a Rangeland Center at
10 Chadron State College and renovating the U.S. Conn Library at Wayne State
11 College. The board may enter into long-term financing contracts with any
12 person, firm, or corporation for the Rangeland Center and U.S. Conn
13 Library projects. The payments of the costs of the projects may occur
14 over a contract period not to extend beyond June 30, 2021. The board
15 shall not pledge the credit of the State of Nebraska for the payment of
16 any sum owing on account of such contract, except that there may be
17 pledged for the payment of any such contract any appropriations made by
18 the Legislature for such purpose. No contract shall be entered into
19 pursuant to this section without prior approval by resolution by the
20 board. The board may also convey, lease, or lease back all or any part of
21 the Rangeland Center and U.S. Conn Library projects and the land on which
22 such projects are situated to such person, firm, or corporation as the
23 board may contract with pursuant to this section to facilitate the long-
24 term payment of the costs of the Rangeland Center and U.S. Conn Library
25 projects. Any such conveyance or lease shall provide that when the costs
26 of the Rangeland Center and U.S. Conn Library projects have been paid,
27 together with interest and other costs thereon, the Rangeland Center and
28 U.S. Conn Library projects and the land on which such projects are
29 located shall become the property of the board. The board may schedule
30 contractual payments on a monthly, quarterly, or semiannual basis
31 consistent with the state fiscal year. On or before August 31, 2021, any

1 funds appropriated from the General Fund for the projects held in the
2 state treasury and held by any trustee which are not necessary to meet
3 the terms of any long-term financing agreements entered into pursuant to
4 this section shall be transferred to the General Fund.

5 The Legislature finds and determines that the Rangeland Center and
6 U.S. Conn Library projects are of critical importance to the State of
7 Nebraska. It is the intent of the Legislature that the appropriations for
8 the Rangeland Center and U.S. Conn Library projects shall not be reduced
9 until all contracts and securities relating to the construction and
10 financing of the Rangeland Center and U.S. Conn Library projects are
11 completed or paid but in no case shall such appropriations extend beyond
12 the fiscal year ending June 30, 2021.

13 Sec. 33. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

14 Program No. 920 - University of Nebraska Facilities Program of 2006

15		FY2017-18	FY2018-19	FUTURE
16	GENERAL FUND	11,000,000	11,000,000	121,000,000
17	CASH FUND est.	11,000,000	11,000,000	121,000,000
18	PROGRAM TOTAL	22,000,000	22,000,000	242,000,000

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

25 Sec. 34. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

26 Program No. 930 - Nebraska College of Technical Agriculture at
27 Curtis Education Center

28		FY2017-18	FY2018-19	FUTURE
29	GENERAL FUND	820,000	820,000	5,466,135
30	PROGRAM TOTAL	820,000	820,000	5,466,135

31 The Board of Regents of the University of Nebraska is hereby

1 authorized to design and construct an Education Center at the Nebraska
2 College of Technical Agriculture at Curtis. The total project cost to be
3 supported from state funds is \$8,762,000. Nonstate tax funds of
4 \$1,000,000 shall be used to supplement the project.

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

21 Sec. 35. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

22 Program No. 939 - Veterinary Diagnostic Center

23	FY2017-18	FY2018-19	FUTURE
24 GENERAL FUND	5,101,000	5,101,000	7,804,300
25 PROGRAM TOTAL	5,101,000	5,101,000	7,804,300

26 Subject to the provisions of section 85-1414, the Board of Regents
27 of the University of Nebraska is hereby authorized to design and
28 construct a Veterinary Diagnostic Center at the University of Nebraska
29 Institute of Agriculture and Natural Resources. The total project cost is
30 estimated at \$45,644,000 of which \$4,150,000 is private or other funds.

31 Beginning with the fiscal year commencing July 1, 2016, and

1 continuing through the fiscal year ending June 30, 2024, the Legislature
2 shall appropriate each fiscal year from the General Fund an amount not
3 less than \$5,101,000 to be used by the Board of Regents of the University
4 of Nebraska to pay the costs of constructing a Veterinary Diagnostic
5 Center. The board may enter into long-term financing contracts with any
6 person, firm, or corporation for the Veterinary Diagnostic Center
7 project. The board may not enter into long-term financing contracts until
8 evidence is provided to the budget administrator of the budget division
9 of the Department of Administrative Services that \$4,150,000 in private
10 or other funds have been received for this project. The payments of the
11 costs of the project may occur over a contract period not to extend
12 beyond June 30, 2024. The board shall not pledge the credit of the State
13 of Nebraska for the payment of any sum owing on account of such contract,
14 except that there may be pledged for the payment of any such contract any
15 appropriations made by the Legislature for such purpose. No contract
16 shall be entered into pursuant to this section without prior approval by
17 resolution by the board. The board may also convey, lease, or lease back
18 all or any part of the Veterinary Diagnostic Center project and the land
19 on which such project is situated to such person, firm, or corporation as
20 the board may contract with pursuant to this section to facilitate the
21 long-term payment of the cost of the Veterinary Diagnostic Center
22 project. Any such conveyance or lease shall provide that when the cost of
23 the Veterinary Diagnostic Center project has been paid, together with
24 interest and other costs thereon, the Veterinary Diagnostic Center
25 project and the land on which such project is located shall become the
26 property of the board. The board may schedule contractual payments on a
27 monthly, quarterly, or semiannual basis consistent with the state fiscal
28 year. On or before August 31, 2024, any funds appropriated from the
29 General Fund for the project held in the state treasury and held by any
30 trustee which are not necessary to meet the terms of any long-term
31 financing agreements entered into pursuant to this section shall be

1 transferred to the General Fund.

2 The Legislature finds and determines that the Veterinary Diagnostic
3 Center project is of critical importance to the State of Nebraska. It is
4 the intent of the Legislature that the appropriations for the Veterinary
5 Diagnostic Center project shall not be reduced until all contracts and
6 securities relating to the construction and financing of the Veterinary
7 Diagnostic Center project are completed or paid but in no case shall such
8 appropriations extend beyond the fiscal year ending June 30, 2024.

9 Sec. 36. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

10 Program No. 976 - College of Nursing Building - Lincoln Division

11		FY2017-18	FY2018-19	FUTURE
12	GENERAL FUND	1,477,000	1,477,000	5,886,300
13	PROGRAM TOTAL	1,477,000	1,477,000	5,886,300

14 The Board of Regents of the University of Nebraska is hereby
15 authorized to design and construct a College of Nursing Building at the
16 University of Nebraska-Lincoln. The total project cost is estimated at
17 \$17,650,000 of which \$5,650,000 is private or other funds.

18 Beginning with the fiscal year commencing July 1, 2013, and
19 continuing through the fiscal year ending June 30, 2023, the Legislature
20 shall appropriate each fiscal year from the General Fund an amount not
21 less than \$1,477,000 to be used by the Board of Regents of the University
22 of Nebraska to pay the costs of constructing a College of Nursing
23 Building. The board may enter into long-term financing contracts with any
24 person, firm, or corporation for the College of Nursing Building project.
25 The board may not enter into long-term financing contracts until evidence
26 is provided to the budget administrator of the budget division of the
27 Department of Administrative Services that \$5,650,000 in private or other
28 funds have been received for this project. The payments of the costs of
29 the project may occur over a contract period not to extend beyond June
30 30, 2023. The board shall not pledge the credit of the State of Nebraska
31 for the payment of any sum owing on account of such contract, except that

1 there may be pledged for the payment of any such contract any
 2 appropriations made by the Legislature for such purpose. No contract
 3 shall be entered into pursuant to this section without prior approval by
 4 resolution by the board. The board may also convey, lease, or lease back
 5 all or any part of the College of Nursing Building project and the land
 6 on which such project is situated to such person, firm, or corporation as
 7 the board may contract with pursuant to this section to facilitate the
 8 long-term payment of the costs of the College of Nursing Building
 9 project. Any such conveyance or lease shall provide that when the cost of
 10 the College of Nursing Building project has been paid, together with
 11 interest and other costs thereon, the College of Nursing Building project
 12 and the land on which such project is located shall become the property
 13 of the board. The board may schedule contractual payments on a monthly,
 14 quarterly, or semiannual basis consistent with the state fiscal year. On
 15 or before August 31, 2023, any funds appropriated from the General Fund
 16 for the project held in the state treasury and held by any trustee which
 17 are not necessary to meet the terms of any long-term financing agreements
 18 entered into pursuant to this section shall be transferred to the General
 19 Fund.

20 The Legislature finds and determines that the College of Nursing
 21 Building project is of critical importance to the State of Nebraska. It
 22 is the intent of the Legislature that the appropriations for the College
 23 of Nursing Building project shall not be reduced until all contracts and
 24 securities relating to the construction and financing of the College of
 25 Nursing Building project are completed or paid but in no case shall such
 26 appropriations extend beyond the fiscal year ending June 30, 2023.

27 Sec. 37. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

28 Program No. 922 - Capitol Heating, Ventilating, and Air Conditioning
 29 Systems Replacement

30	FY2017-18	FY2018-19	FUTURE
31 GENERAL FUND	-0-	11,062,790	55,002,410

1	NEBRASKA CAPITAL			
2	CONSTRUCTION FUND	-0-	4,538,101	15,695,519
3	PROGRAM TOTAL	-0-	15,600,891	70,697,929

4 The Legislature hereby acknowledges and reaffirms the directive made
5 by Laws 2014, LB905, which authorizes the Office of the Nebraska Capitol
6 Commission to continue planning for and undertake replacement of the
7 existing heating, ventilating, and air conditioning systems serving the
8 Nebraska State Capitol as well as associated infrastructure, fire
9 protection, life safety, and architectural improvements identified in the
10 Nebraska State Capitol HVAC Master Plan Amendment, dated September 20,
11 2013. The Legislature hereby acknowledges and reaffirms its intent to
12 appropriate future amounts from the General Fund for completion of the
13 project as follows: \$9,433,698 for FY2019-20; \$10,194,538 for FY2020-21;
14 \$12,624,369 for FY2021-22; \$12,459,563 for FY2022-23; and \$10,290,242 for
15 FY2023-24. The Legislature further intends to appropriate future amounts
16 from the Nebraska Capital Construction Fund for completion of the project
17 as follows: \$2,469,348 for FY2019-20; \$2,794,586 for FY2020-21;
18 \$3,833,210 for FY2021-22; \$3,762,820 for FY2022-23; and \$2,835,495 for
19 FY2023-24. The total project cost shall not exceed \$106,008,106.

20 Sec. 38. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

21 Program No. 934 - Norfolk Regional Center Perimeter Security System

22		FY2017-18	FY2018-19	FUTURE
23	REVOLVING FUND	1,600,000	307,337	-0-
24	PROGRAM TOTAL	1,600,000	307,337	-0-

25 The state building division of the Department of Administrative
26 Services is hereby authorized to plan, design, and construct a perimeter
27 security system at the Norfolk Regional Center.

28 Sec. 39. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

29 Program No. 940 - Task Force for Building Renewal

30		FY2017-18	FY2018-19	FUTURE
31	CASH FUND	21,000,930	21,000,930	42,547,860

1 PROGRAM TOTAL 21,000,930 21,000,930 42,547,860

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

13 The appropriation to this program is for the purpose of carrying out
14 the provisions of the Deferred Building Renewal Act which includes
15 deferred repair, fire and life safety projects, and compliance with the
16 federal Americans with Disabilities Act (ADA) of 1990. Funds may also be
17 spent on projects related to energy conservation. There is hereby
18 appropriated any available federal funds, plus investment income thereon,
19 for this program for FY2017-18 and FY2018-19. There is included in the
20 appropriation to this program for FY2017-18 an amount not to exceed
21 \$200,000 cash funds and for FY2018-19 an amount not to exceed \$200,000
22 cash funds for building maintenance and renewal training, roof scans and
23 other testing procedures, and consulting work.

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

29 None of the funds appropriated to this program shall be used for
30 operating budget compliance with the federal Americans with Disabilities
31 Act of 1990. Expenditures for deferred repair, fire and life safety

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

9 Sec. 40. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
10 Program No. 986 - Data Center Risk Mitigation

11		FY2017-18	FY2018-19	FUTURE
12	REVOLVING FUND	2,183,591	-0-	-0-
13	PROGRAM TOTAL	2,183,591	-0-	-0-

14 The Legislature hereby acknowledges and reaffirms the directive made
15 by Laws 2015, LB660, which authorizes the Department of Administrative
16 Services to undertake a renovation project of the building that houses
17 the state's computer network equipment and infrastructure.

18 Sec. 41. There is hereby appropriated, unless otherwise specified,
19 for FY2017-18 and for FY2018-19 from undisbursed balances existing on
20 June 30, 2017, and on June 30, 2018, respectively, to each agency for
21 each program from the respective funds for capital construction as
22 follows:

23 (1) Agency No. 25 – Department of Health and Human Services
24 Program Nos. 904, 919, and 923.

25 (2) Agency No. 27 – Department of Roads
26 Program No. 901, except that the unobligated biennium appropriation
27 balance shall lapse once all projects funded in that biennium are
28 completed, postponed to a future biennium, or indefinitely postponed.

29 (3) Agency No. 31 – Military Department
30 Program Nos. 925 and 990.

31 (4) Agency No. 33 – Game and Parks Commission

1 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967, 968, 969
2 less the General Fund balance existing on June 30, 2017, 971, 972, 973,
3 975, 976, 977, 979, 981, and 987.

4 (5) Agency No. 46 – Department of Correctional Services

5 Program Nos. 913, 914, 921, 927, and 928.

6 (6) Agency No. 47 – Nebraska Educational Telecommunications
7 Commission

8 Program No. 928.

9 (7) Agency No. 50 – Board of Trustees of the Nebraska State Colleges

10 Program Nos. 901, 903, 904, 905, 912, 919, 920, 921, 930, 933, 935,
11 952, 955, and 997, and any additional construction programs
12 administratively created relating to the Board of Trustees of the
13 Nebraska State Colleges and its campuses which are funded through cash
14 funds, federal funds, revolving funds, or private gifts or donations.

15 (8) Agency No. 51 – University of Nebraska

16 Program Nos. 901, 902, 903, 906, 907, 909, 911, 914, 915, 917, 918,
17 919, 920, 921, 926, 927, 930, 934, 936, 937, 939, 942, 943, 944, 948,
18 950, 954, 956, 961, 963, 964, 965, 969, 971, 974, 976, 977, 978, 981,
19 984, 990, 992, 994, 995, 997, and 998, and any additional construction
20 programs administratively created relating to the University of Nebraska-
21 Lincoln, the University of Nebraska at Omaha, the University of Nebraska
22 Medical Center, the University of Nebraska at Kearney, the Nebraska
23 College of Technical Agriculture at Curtis, and the University of
24 Nebraska Central Administration which are funded through cash funds,
25 federal funds, revolving funds, or private gifts or donations.

26 (9) Agency No. 65 – Department of Administrative Services

27 Program Nos. 901, 904, 917, 922, and 980.

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

30 Sec. 42. FEDERAL FUNDS.

31 Any federal funds not otherwise appropriated, any additional federal

1 funds made available to the credit of the State Treasurer, and any
2 unexpended balances in federal funds on the operative date of this act
3 are hereby appropriated and reappropriated to the agency and project for
4 which the funds were allocated by the federal government.

5 Sec. 43. GIFTS, BEQUESTS, AND DEVISES.

6 Any gift, bequest, or devise made available to the State of Nebraska
7 for any purpose or purposes, together with the income thereof, shall be
8 allocated to the expending agency designated by such donor or, if none is
9 designated by such donor, by the Governor.

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

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

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

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

19 (4) Sections 81-176 and 81-1108.33 shall govern the acquisition of
20 real property and structures with the proceeds of a gift, bequest, or
21 devise.

22 For purposes of this section, gifts, bequests, and devises shall
23 include, but not be limited to, donations, gifts, bequests, devises, and
24 grants from individuals, organizations, corporations, and similar
25 entities and from nonfederal governmental agencies.

26 At the discretion of the budget administrator of the budget division
27 of the Department of Administrative Services and the Accounting
28 Administrator of the Department of Administrative Services, expenditures
29 of funds from any gift, bequest, or devise may be expended through any
30 existing or administratively created cash fund account, revolving fund
31 account, or trust fund account, in which case the actual amount of the

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

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

11 Sec. 44. The One Hundred Fifth Legislature acknowledges that
12 Article III, section 22, of the Constitution of Nebraska provides that
13 each Legislature shall make appropriations for the expenses of the
14 government. Consistent with this provision, any appropriations enacted by
15 prior Legislatures for fiscal years beginning after June 30, 2017, are
16 null and void unless specifically reaffirmed by this Legislature.

17 Sec. 45. This act becomes operative on July 1, 2017.

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