

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 383**

FINAL READING

Introduced by Speaker Hilgers, 21; at the request of the Governor.

Read first time January 14, 2021

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 Seventh Legislature, First or Second Session, which  
4 appropriates funds, FY2020-21 means the period July 1, 2020, through June  
5 30, 2021, FY2021-22 means the period July 1, 2021, through June 30, 2022,  
6 FY2022-23 means the period July 1, 2022, through June 30, 2023, FY2023-24  
7 means the period July 1, 2023, through June 30, 2024, and FY2024-25 means  
8 the period July 1, 2024, through June 30, 2025.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2021-22 and FY2022-23, the sums  
11 set forth in this act to each agency for each program from the respective  
12 funds for capital construction projects, land acquisition, lease-purchase  
13 arrangements, and major equipment acquisition, except as otherwise  
14 appropriated.

15 Sec. 3. REAPPROPRIATION OF BALANCE, FY2021-22 to FY2022-23.

16 In addition to the appropriations set forth in this act, there are  
17 hereby reappropriated all unexpended appropriation balances existing on  
18 June 30, 2022, for FY2022-23 to the respective agencies, programs, and  
19 funds listed in this act, except as otherwise provided in this act.

20 Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

24 Sec. 5. DRAWING AND PAYING WARRANTS.

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

30 Sec. 6. It is the intent of the Legislature that the appropriations  
31 for capital facilities follow an orderly and reasonable process based

1 upon defined and documented need and an analysis of the utilization of  
2 existing facilities.

3       The biennial appropriations contained in this act covering FY2021-22  
4 and FY2022-23, which have been designated for planning, require from the  
5 agency a complete program statement prepared in accordance with the  
6 Procedural Manual for Capital Construction Projects as approved by the  
7 state building division of the Department of Administrative Services.  
8 Projects directly related to program continuation such as fire and life  
9 safety, maintenance, utility improvements, handicapped access, and master  
10 planning require a statement of needs prepared in accordance with the  
11 manual. An appropriation for drawings and construction may be recommended  
12 only after submission of an acceptable program statement or statement of  
13 needs on or before September 15 to the state building division, the  
14 budget division of the Department of Administrative Services, and the  
15 Legislative Fiscal Analyst.

16       Program statements that have been submitted prior to FY2021-22 shall  
17 be updated if necessary and resubmitted during the period July 1, 2021,  
18 to September 1, 2021. Program statements that have been submitted prior  
19 to FY2022-23 shall be updated if necessary and resubmitted during the  
20 period July 1, 2022, to September 1, 2022, by agency priority. Such  
21 priority shall be subject to final modification by the governing  
22 authority of each agency on or before September 15, 2022.

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

1 new or renovated facilities.

2 Sec. 8. AGENCY NO. 27 – DEPARTMENT OF TRANSPORTATION

3 Program No. 901 - Facility Improvements

	FY2021-22	FY2022-23	FUTURE
4 CASH FUND	10,000,000	10,000,000	-0-
5 PROGRAM TOTAL	10,000,000	10,000,000	-0-

7 The Department of Transportation is hereby authorized to prepare  
8 program statements on and design and build the following projects:

9 Facility improvements – Columbus Maintenance

10 Facility improvements – Arthur Maintenance

11 Facility improvements – Crofton Maintenance

12 Facility improvements – Seward Maintenance

13 Facility improvements – Bloomfield Maintenance

14 Facility improvements – 70101 District Office

15 Facility improvements – Statewide Projects

16 Sec. 9. AGENCY NO. 31 – MILITARY DEPARTMENT

17 Program No. 913 - 1776 Readiness Center Remodel

	FY2021-22	FY2022-23	FUTURE
18 NEBRASKA CAPITAL			
19 CONSTRUCTION FUND	500,000	-0-	-0-
20 FEDERAL FUND est.	500,000	-0-	-0-
21 PROGRAM TOTAL	1,000,000	-0-	-0-

23 The Military Department is hereby authorized to proceed with the  
24 design, planning, and construction related to remodeling the facility and  
25 consolidating or replacing or both the HVAC systems at the 1776 Readiness  
26 Center in Lincoln, Nebraska.

27 Sec. 10. AGENCY NO. 31 – MILITARY DEPARTMENT

28 Program No. 927 - Federal-State Match Construction Projects

	FY2021-22	FY2022-23	FUTURE
29 GENERAL FUND	891,000	-0-	-0-
30 FEDERAL FUND est.	1,697,000	-0-	-0-

1 PROGRAM TOTAL 2,588,000 -0- -0-

2 The Military Department is hereby authorized to engage in various  
3 military master capital project agreements with the National Guard  
4 Bureau, including renovation and remodeling of the York vehicle storage  
5 facility, in order to convert the space into National Guard Readiness  
6 Center space, and expanding the Columbus readiness center facility to add  
7 storage space and to pave the parking lot.

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

9 Program No. 992 - Statewide Readiness Centers - Backup Generators

	FY2021-22	FY2022-23	FUTURE
11 GENERAL FUND	915,000	-0-	-0-
12 FEDERAL FUND est.	915,000	-0-	-0-
13 PROGRAM TOTAL	1,830,000	-0-	-0-

14 The Military Department is hereby authorized to procure and install  
15 emergency backup generators for the readiness centers in Broken Bow,  
16 Chadron, Grand Island, the Lincoln complex, Norfolk, North Platte, South  
17 Omaha, Scottsbluff, Sidney, Wayne, and York.

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

19 Program No. 900 - State Park System Facility Improvements

	FY2021-22	FY2022-23	FUTURE
21 CASH FUND	775,000	925,000	-0-
22 PROGRAM TOTAL	775,000	925,000	-0-

23 The Game and Parks Commission is hereby authorized to develop new,  
24 maintain, and improve boating facilities and fishing access amenities.

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

26 Program No. 901 - State Parks Facilities Deferred Maintenance

	FY2021-22	FY2022-23	FUTURE
28 CASH FUND	4,325,000	4,175,000	-0-
29 PROGRAM TOTAL	4,325,000	4,175,000	-0-

30 The Game and Parks Commission is hereby authorized to make deferred

1 repairs and maintenance improvements at facilities in the state park  
2 system and replace and upgrade facilities in the state park system with  
3 the appropriation to this program.

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

5 Program No. 969 - Improvements to State Recreation Areas

6		FY2021-22	FY2022-23	FUTURE
7	CASH FUND	500,000	500,000	-0-
8	PROGRAM TOTAL	500,000	500,000	-0-

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

12 It is intended that the following projects be undertaken with funds  
13 appropriated to this program for FY2021-22:

14 Area improvements to implement master plan – Lake McConaughy and  
15 Lake Ogallala State Recreation Areas - \$500,000

16 It is intended that the following projects be undertaken with funds  
17 appropriated to this program for FY2022-23:

18 Area improvements to implement master plan – Lake McConaughy and  
19 Lake Ogallala State Recreation Areas - \$500,000

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

21 Program No. 975 - Emergency Repairs - Parks

22		FY2021-22	FY2022-23	FUTURE
23	CASH FUND	750,000	750,000	-0-
24	PROGRAM TOTAL	750,000	750,000	-0-

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

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

29 Program No. 981 - Aquatic Habitat Enhancement and Restoration

30		FY2021-22	FY2022-23	FUTURE
31	CASH FUND	3,000,000	3,000,000	-0-

1 PROGRAM TOTAL 3,000,000 3,000,000 -0-

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

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

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

12 Sec. 18. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

13 Program No. 905 - Correctional Facilities: Site Selection and  
14 Planning

15 FY2021-22 FY2022-23

16 NEBRASKA CAPITAL

17 CONSTRUCTION FUND 350,000 -0-

18 PROGRAM TOTAL 350,000 -0-

19 The Department of Correctional Services is hereby authorized to  
20 proceed with and update the 2014 Master Plan Report, FINAL REPORT,  
21 completed by Dewberry Architects Inc. and Carlson West Povondra  
22 Architects and dated October 27, 2014. In addition to the items listed in  
23 section 81-1114.01, this update shall also examine demand for behavioral  
24 health, mental health, and substance abuse services at the current  
25 correctional facilities compared to actual treatment capacity and take  
26 into consideration the physical condition of the facilities.

27 Sec. 19. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

28 Program No. 905 - Correctional Facilities: Site Selection and  
29 Planning

30 FY2021-22 FY2022-23

31 NEBRASKA CAPITAL

1	CONSTRUCTION FUND	500,000	-0-
2	PROGRAM TOTAL	500,000	-0-

3 There is included in the appropriation in this section \$500,000 for  
 4 the preparation of a program statement and site selection for a new  
 5 halfway back-community corrections center in Omaha. Funds may be utilized  
 6 for an option to purchase.

7 Sec. 20. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

8 Program No. 905 - Correctional Facilities: Site Selection and  
 9 Planning

10		FY2021-22	FY2022-23	FUTURE
11	NEBRASKA CAPITAL			
12	CONSTRUCTION FUND	14,917,000	-0-	-0-
13	PROGRAM TOTAL	14,917,000	-0-	-0-

14 The Department of Correctional Services is hereby authorized to  
 15 prepare designs and plans for a new multi-custody-level correctional  
 16 facility with capacity to house approximately one thousand five hundred  
 17 twelve inmates, with a mix of maximum, medium, and minimum custody beds,  
 18 including site selection and an option to purchase.

19 In conjunction with the development of the plans or site selection  
 20 for a new facility, the department shall have an independent engineering  
 21 study completed as to the useful life of the current Nebraska State  
 22 Penitentiary facility.

23 Sec. 21. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

24 Program No. 906 - RTC High Security Expansion

25		FY2021-22	FY2022-23	FUTURE
26	NEBRASKA CAPITAL			
27	CONSTRUCTION FUND	14,891,000	-0-	-0-
28	PROGRAM TOTAL	14,891,000	-0-	-0-

29 The Department of Correctional Services is hereby authorized to  
 30 plan, design, and construct two new high security housing units with  
 31 design capacity up to three hundred eighty-four new beds, as well as

1 counseling and educational space and adjoining outdoor recreation areas  
2 at the Reception and Treatment Center (Lincoln Corrections Center).

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

4 Program No. 913 - Security System Upgrades

	FY2021-22	FY2022-23	FUTURE
5 GENERAL FUND	1,250,000	1,250,000	-0-
6 PROGRAM TOTAL	1,250,000	1,250,000	-0-

8 The Department of Correctional Services is hereby authorized to  
9 upgrade security system components at various Department of Correctional  
10 Services facilities statewide, including, but not limited to: Replacement  
11 of door controls and perimeter detection systems, upgrade of existing  
12 video equipment, and upgrade and replacement of security camera systems.

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

14 Program No. 914 - Infrastructure and Maintenance

	FY2021-22	FY2022-23	FUTURE
15 GENERAL FUND	2,000,000	2,000,000	-0-
16 PROGRAM TOTAL	2,000,000	2,000,000	-0-

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

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

24 Program No. 928 - Reception and Treatment Center

	FY2021-22	FY2022-23
25 NEBRASKA CAPITAL		
26 CONSTRUCTION FUND	18,000,000	-0-
27 PROGRAM TOTAL	18,000,000	-0-

29 The Department of Correctional Services is hereby authorized to  
30 proceed with the design, planning, and construction of three specialty  
31 units, to be used for additional mental health and geriatric patients or

1 other individuals with special needs, that would add at least an  
2 additional ninety-six-bed capacity at the reception and treatment center.

3 Sec. 25. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS  
4 COMMISSION

5 Program No. 908 - Tower Lighting Project

	FY2021-22	FY2022-23	FUTURE
6 GENERAL FUND	180,000	120,000	-0-
8 PROGRAM TOTAL	180,000	120,000	-0-

9 The Nebraska Educational Telecommunications Commission is hereby  
10 authorized to replace the tower lighting system at KRNE Merriman and  
11 K33AC Pawnee City.

12 Sec. 26. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS  
13 COMMISSION

14 Program No. 928 - Radio Transmission Equipment Replacement

	FY2021-22	FY2022-23	FUTURE
15 GENERAL FUND	385,000	240,000	-0-
17 PROGRAM TOTAL	385,000	240,000	-0-

18 The Nebraska Educational Telecommunications Commission is hereby  
19 authorized to replace the radio transmission equipment at KMNE FM  
20 Bassett, KRNE FM Merriman, and FXNE FM Norfolk.

21 Sec. 27. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS  
22 COMMISSION

23 Program No. 932 - Carpenter Communication Center Facility Routing

	FY2021-22	FY2022-23	FUTURE
24 GENERAL FUND	-0-	500,000	-0-
26 PROGRAM TOTAL	-0-	500,000	-0-

27 The Nebraska Educational Telecommunications Commission is hereby  
28 authorized to replace the Legacy Routing System at the Terry Carpenter  
29 Communication Center.

30 Sec. 28. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
31 COLLEGES

1 Program No. 903 - State College Facilities - Sports Facilities  
2 Projects

	FY2021-22	FY2022-23	FUTURE
4 CASH FUND	300,000	300,000	3,000,000
5 PROGRAM TOTAL	300,000	300,000	3,000,000

6 The Board of Trustees of the Nebraska State Colleges is hereby  
7 authorized to renovate and construct or improve facilities for  
8 intercollegiate athletics and student fitness, recreation, and sport  
9 activities at the Nebraska State Colleges.

10 Sec. 29. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
11 COLLEGES

12 Program No. 919 - State College Facilities Program

	FY2021-22	FY2022-23	FUTURE
14 GENERAL FUND	1,125,000	1,125,000	30,205,000
15 REVOLVING FUND est.	1,440,000	1,440,000	24,480,000
16 PROGRAM TOTAL	2,565,000	2,565,000	54,685,000

17 The Legislature hereby acknowledges and reaffirms the directive made  
18 by sections 85-423, 85-424, and 85-425, which authorizes the Board of  
19 Trustees of the Nebraska State Colleges to make expenditures from the  
20 State College Facilities Program exclusively for projects outlined in  
21 section 85-424.

22 Sec. 30. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
23 COLLEGES

24 Program No. 920 - Board Facilities Fee Fund Projects

	FY2021-22	FY2022-23	FUTURE
26 REVOLVING FUND est.	900,000	900,000	9,000,000
27 PROGRAM TOTAL	900,000	900,000	9,000,000

28 The Legislature hereby acknowledges and reaffirms provisions of  
29 section 85-328 which authorize amounts accumulated in the State College  
30 Facility Fee Fund to be expended for the purpose of paying the cost of  
31 capital improvement projects approved by the Board of Trustees of the

1 Nebraska State Colleges for facilities on campuses or lands owned or  
2 controlled by the board.

3 Sec. 31. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
4 COLLEGES

5 Program No. 933 - Chadron State College Math Science Building

6	FY2021-22	FY2022-23	FUTURE
7 GENERAL FUND	2,216,000	2,216,000	26,592,000
8 PROGRAM TOTAL	2,216,000	2,216,000	26,592,000

9 The Board of Trustees of the Nebraska State Colleges is hereby  
10 authorized to construct laboratory, classroom, office, and herbarium  
11 space for a Rangeland Center at Chadron State College. The amount of  
12 Rangeland Center project costs to be met by appropriations pursuant to  
13 this section is estimated at \$3,696,470. The board is also authorized to  
14 renovate the U.S. Conn Library at Wayne State College. The amount of U.S.  
15 Conn Library project costs to be met by appropriations pursuant to this  
16 section is estimated at \$12,000,000. The board is also authorized to  
17 renovate and construct an addition to the Math Science Building at  
18 Chadron State College. The amount of project costs to be met by  
19 appropriations pursuant to this section is estimated at \$24,094,000. The  
20 board is further authorized to expend such other amounts as it may secure  
21 from other sources for completion of the projects.

22 Beginning with the fiscal year commencing July 1, 2013, and  
23 continuing through the fiscal year ending June 30, 2035, the Legislature  
24 shall appropriate each fiscal year from the General Fund an amount not  
25 less than \$2,216,000 to be used by the board to pay the costs of  
26 constructing a Rangeland Center at Chadron State College, renovating the  
27 U.S. Conn Library at Wayne State College, and renovating and constructing  
28 an addition to the Math Science Building at Chadron State College. The  
29 board may enter into long-term financing contracts with any person, firm,  
30 or corporation for the Rangeland Center, U.S. Conn Library, and Math  
31 Science Building projects. The payments of the costs of the projects may

1 occur over a contract period not to extend beyond June 30, 2035.

2 The board shall not pledge the credit of the State of Nebraska for  
3 the payment of any sum owing on account of such contract, except that  
4 there may be pledged for the payment of any such contract any  
5 appropriations made by the Legislature for such purpose. No contract  
6 shall be entered into pursuant to this section without prior approval by  
7 resolution by the board. The board may also convey, lease, or lease back  
8 all or any part of the Rangeland Center, U.S. Conn Library, and Math  
9 Science Building projects and the land on which such projects are  
10 situated to such person, firm, or corporation as the board may contract  
11 with pursuant to this section to facilitate the long-term payment of the  
12 costs of the Rangeland Center, U.S. Conn Library, and Math Science  
13 Building projects. Any such conveyance or lease shall provide that when  
14 the costs of the Rangeland Center, U.S. Conn Library, and Math Science  
15 Building projects have been paid, together with interest and other costs  
16 thereon, the Rangeland Center, U.S. Conn Library, and Math Science  
17 Building projects and the land on which such projects are located shall  
18 become the property of the board. The board may schedule contractual  
19 payments on a monthly, quarterly, or semiannual basis consistent with the  
20 state fiscal year. On or before August 31, 2035, any funds appropriated  
21 from the General Fund for the projects held in the state treasury and  
22 held by any trustee which are not necessary to meet the terms of any  
23 long-term financing agreements entered into pursuant to this section  
24 shall be transferred to the General Fund.

25 The Legislature finds and determines that the Rangeland Center, U.S.  
26 Conn Library, and Math Science Building projects are of critical  
27 importance to the State of Nebraska. It is the intent of the Legislature  
28 that the appropriations for the Rangeland Center, U.S. Conn Library, and  
29 Math Science Building projects shall not be reduced until all contracts  
30 and securities relating to the construction and financing of the  
31 Rangeland Center, U.S. Conn Library, and Math Science Building projects

1 are completed or paid but in no case shall such appropriations extend  
2 beyond the fiscal year ending June 30, 2035.

3 No amount appropriated pursuant to this section may be applied by  
4 the board to a project or financing to complete renovation of and  
5 construction of an addition to the Math Science Building until existing  
6 financing contracts of the board related to the Rangeland Center and U.S.  
7 Conn Library projects have been provided for or paid.

8 Sec. 32. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE  
9 COLLEGES

10 Program No. 940 - Geothermal Utilities Project, Peru State College

11		FY2021-22	FY2022-23	FUTURE
12	GENERAL FUND	1,601,248	1,757,682	2,101,905
13	PROGRAM TOTAL	1,601,248	1,757,682	2,101,905

14 The Board of Trustees of the Nebraska State Colleges is hereby  
15 authorized in FY2021-22 to complete the Administration Fan Coil Units  
16 Replacement, the Campus Services Geothermal Conversion, and the Library  
17 Geothermal Conversion projects as detailed in the 2018 Campus Utility  
18 Study. The Board of Trustees of the Nebraska State Colleges is hereby  
19 authorized in FY2022-23 to complete the A.V. Larson Geothermal  
20 Conversion, the CATS building Geothermal Conversion, and the Hoyt Science  
21 Hot Water Boiler Installation projects as detailed in the 2018 Campus  
22 Utility Study.

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

24 Program No. 906 - NU Facilities Renewal

25		FY2021-22	FY2022-23	FUTURE
26	GENERAL FUND	2,165,928	2,671,904	119,021,563
27	PROGRAM TOTAL	2,165,928	2,671,904	119,021,563

28 (1) It is the intent of the Legislature that after the terms of any  
29 long-term financing agreements have been met for the Nebraska College of  
30 Technical Agriculture at Curtis Education Center, the annual \$820,000  
31 General Fund appropriation as contained in Laws 2017, LB 330, section 35,

1 be continued through 2050. The annual \$820,000 General Fund appropriation  
2 shall be used for renewal, renovations, or repair of existing university  
3 facilities.

4 (2) It is the intent of the Legislature that after the terms of any  
5 long-term financing agreements have been met for the College of Nursing  
6 Building - Lincoln Division, the annual \$1,477,000 General Fund  
7 appropriation as contained in Laws 2017, LB 330, section 37, be continued  
8 through 2050. The annual \$1,477,000 General Fund appropriation shall be  
9 used for renewal, renovations, or repair of existing university  
10 facilities.

11 (3) The Board of Regents of the University of Nebraska may enter  
12 into long-term financing contracts with any person, firm, or corporation  
13 to finance university facilities. The Board of Regents may also convey,  
14 lease, or lease back all or any part of the university facilities and the  
15 land on which any such facility is situated to such person, firm, or  
16 corporation as the Board of Regents may contract with pursuant to this  
17 section to facilitate the long-term payment of the cost of the  
18 facilities. Any such conveyance or lease shall provide that when the cost  
19 of the facility has been paid, together with interest and other costs  
20 thereon, the facility and the land on which such facility is located  
21 shall become the property of the Board of Regents. The Board of Regents  
22 may schedule contractual payments on a monthly, quarterly, or semiannual  
23 basis consistent with the state fiscal year.

24 (4) Payment of the costs of the renewal, renovation, or repair of  
25 existing university facilities for which the General Fund appropriations  
26 described in this section are identified as a repayment source may occur  
27 over a contract period not to extend beyond June 30, 2062. The Board of  
28 Regents shall not pledge the credit of the State of Nebraska for any such  
29 contract, except that there may be pledged for payment of any such  
30 contract any appropriations made by the Legislature for such purpose.

31 (5) It is the intent of the Legislature that the appropriations

1 described in this section shall not be reduced until all contracts and  
2 securities relating to the construction and financing of the facilities  
3 are completed or paid but in no case shall such appropriations extend  
4 beyond the fiscal year ending June 30, 2062.

5 (6) The Board of Regents of the University of Nebraska, as part of  
6 the capital construction budget request, shall include the status of  
7 completed and ongoing projects utilizing state funding under this  
8 program, and a list of projects planned for the next five years. The  
9 Board of Regents of the University of Nebraska shall report to the Clerk  
10 of the Legislature and to the Governor an initial five-year plan of  
11 projects no later than October 15, 2021.

12 (7) The Board of Regents of the University of Nebraska shall provide  
13 to the Task Force for Building Renewal semiannual reports concerning the  
14 status of each project receiving funding from this program.

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

16 Program No. 920 - University of Nebraska Facilities Program

17		FY2021-22	FY2022-23	FUTURE
18	GENERAL FUND	13,500,000	13,500,000	580,055,136
19	CASH FUND est.	13,500,000	13,500,000	526,500,000
20	PROGRAM TOTAL	27,000,000	27,000,000	1,106,555,136

21 The Legislature hereby acknowledges and reaffirms the directive made  
22 by sections 85-420, 85-421, and 85-422, which authorizes the Board of  
23 Regents to make expenditures from appropriated funds for the University  
24 of Nebraska Facilities Program exclusively for projects as outlined in  
25 section 85-421.

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

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

29		FY2021-22	FY2022-23	FUTURE
30	GENERAL FUND	820,000	820,000	1,477,493
31	PROGRAM TOTAL	820,000	820,000	1,477,493

1 The Board of Regents of the University of Nebraska is hereby  
2 authorized to design and construct an Education Center at the Nebraska  
3 College of Technical Agriculture at Curtis. The total project cost to be  
4 supported from state funds is \$8,762,000. Nonstate tax funds of  
5 \$1,000,000 shall be used to supplement the project.

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

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

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

24	FY2021-22	FY2022-23	FUTURE
25 GENERAL FUND	1,477,000	971,024	-0-
26 PROGRAM TOTAL	1,477,000	971,024	-0-

27 The Board of Regents of the University of Nebraska is hereby  
28 authorized to design and construct a College of Nursing Building at the  
29 University of Nebraska-Lincoln. The total project cost is estimated at  
30 \$17,650,000 of which \$5,650,000 is private or other funds. Beginning with  
31 the fiscal year commencing July 1, 2013, and continuing through the

1 fiscal year ending June 30, 2023, the Legislature shall appropriate each  
2 fiscal year from the General Fund an amount not less than \$1,477,000 to  
3 be used by the Board of Regents of the University of Nebraska to pay the  
4 costs of constructing a College of Nursing Building. The board may enter  
5 into long-term financing contracts with any person, firm, or corporation  
6 for the College of Nursing Building project. The board may not enter into  
7 long-term financing contracts until evidence is provided to the budget  
8 administrator of the budget division of the Department of Administrative  
9 Services that \$5,650,000 in private or other funds have been received for  
10 this project. The payments of the costs of the project may occur over a  
11 contract period not to extend beyond June 30, 2023. The board shall not  
12 pledge the credit of the State of Nebraska for the payment of any sum  
13 owing on account of such contract, except that there may be pledged for  
14 the payment of any such contract any appropriations made by the  
15 Legislature for such purpose. No contract shall be entered into pursuant  
16 to this section without prior approval by resolution by the board. The  
17 board may also convey, lease, or lease back all or any part of the  
18 College of Nursing Building project and the land on which such project is  
19 situated to such person, firm, or corporation as the board may contract  
20 with pursuant to this section to facilitate the long-term payment of the  
21 costs of the College of Nursing Building project. Any such conveyance or  
22 lease shall provide that when the cost of the College of Nursing Building  
23 project has been paid, together with interest and other costs thereon,  
24 the College of Nursing Building project and the land on which such  
25 project is located shall become the property of the board. The board may  
26 schedule contractual payments on a monthly, quarterly, or semiannual  
27 basis consistent with the state fiscal year. On or before August 31,  
28 2023, any funds appropriated from the General Fund for the project held  
29 in the state treasury and held by any trustee which are not necessary to  
30 meet the terms of any long-term financing agreements entered into  
31 pursuant to this section shall be transferred to the General Fund.

1           The Legislature finds and determines that the College of Nursing  
2 Building project is of critical importance to the State of Nebraska. It  
3 is the intent of the Legislature that the appropriations for the College  
4 of Nursing Building project shall not be reduced until all contracts and  
5 securities relating to the construction and financing of the College of  
6 Nursing Building project are completed or paid but in no case shall such  
7 appropriations extend beyond the fiscal year ending June 30, 2023.

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

9           Program No. 922 - Capitol Heating, Ventilating, and Air Conditioning  
10 Systems Replacement

	FY2021-22	FY2022-23	FUTURE
11 GENERAL FUND	13,000,000	11,000,000	13,694,386
12 PROGRAM TOTAL	13,000,000	11,000,000	13,694,386

14           The Legislature hereby acknowledges and reaffirms the directive made  
15 by Laws 2014, LB905, which authorizes the Office of the Nebraska Capitol  
16 Commission to continue planning for and undertake replacement of the  
17 existing heating, ventilating, and air conditioning systems serving the  
18 Nebraska State Capitol as well as associated infrastructure, fire  
19 protection, life safety, and architectural improvements identified in the  
20 Nebraska State Capitol HVAC Master Plan Amendment, dated September 20,  
21 2013. The Legislature hereby acknowledges and reaffirms its intent to  
22 appropriate future amounts from the General Fund for completion of the  
23 project as follows: \$6,110,896 for FY2023-24; and \$7,583,490 for  
24 FY2024-25. The total project cost, including the appropriation in Program  
25 number 685 for the Capitol Heating, Ventilating, and Air Conditioning  
26 Systems Replacement project manager, shall not exceed \$106,008,106.

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

28           Program No. 940 - Task Force for Building Renewal

	FY2021-22	FY2022-23	FUTURE
29 CASH FUND	21,273,930	21,273,930	42,547,860
30 PROGRAM TOTAL	21,273,930	21,273,930	42,547,860

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

12           The appropriation to this program is for the purpose of carrying out  
13 the provisions of the Deferred Building Renewal Act which includes  
14 deferred repair, fire and life safety projects, and compliance with the  
15 federal Americans with Disabilities Act (ADA) of 1990. Funds may also be  
16 spent on projects related to energy conservation. There is hereby  
17 appropriated any available federal funds, plus investment income thereon,  
18 for this program for FY2021-22 and FY2022-23. There is included in the  
19 appropriation to this program for FY2021-22 an amount not to exceed  
20 \$200,000 cash funds and for FY2022-23 an amount not to exceed \$200,000  
21 cash funds for building maintenance and renewal training, roof scans and  
22 other testing procedures, and consulting work.

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

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

1 of 1990 may be made through the same program on the Allotment Status  
2 Report in the Nebraska Information System, except that expenditures for  
3 deferred repair, fire and life safety projects, and compliance with the  
4 federal Americans with Disabilities Act of 1990 shall 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 Report  
7 or some other accounting mechanism.

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

9 Program No. 994 - Eastern Nebraska Veterans Home Roof

10		FY2021-22	FY2022-23	FUTURE
11	REVOLVING FUND	900,000	-0-	-0-
12	PROGRAM TOTAL	900,000	-0-	-0-

13 Sec. 40. There is hereby appropriated, unless otherwise specified,  
14 for FY2021-22 and for FY2022-23 from undisbursed balances existing on  
15 June 30, 2021, and on June 30, 2022, respectively, to each agency for  
16 each program from the respective funds for capital construction as  
17 follows:

18 (1) Agency No. 23 – Department of Labor  
19 Program No. 903.

20 (2) Agency No. 25 – Department of Health and Human Services  
21 Program Nos. 919 and 936.

22 (3) Agency No. 27 – Department of Transportation  
23 Program No. 901, except that the unobligated biennium appropriation  
24 balance shall lapse once all projects funded in that biennium are  
25 completed, postponed to a future biennium, or indefinitely postponed.

26 (4) Agency No. 28 - Department of Veterans' Affairs  
27 Program Nos. 904, 936, and 938.

28 (5) Agency No. 31 – Military Department  
29 Program Nos. 913, 914, 925, 927, 990, and 992.

30 (6) Agency No. 33 – Game and Parks Commission  
31 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967, 968, 969,

1 971, 972, 973, 975, 976, 977, 979, 981, and 987.

2 (7) Agency No. 46 – Department of Correctional Services

3 Program Nos. 906, 913, 914, 921, 927, 928, and 929.

4 (8) Agency No. 47 – Nebraska Educational Telecommunications

5 Commission

6 Program Nos. 908, 928, and 932.

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

8 Program Nos. 901, 903, 904, 905, 906, 908, 919, 920, 921, 931, 933,

9 954, and 994, and any additional construction programs administratively

10 created relating to the Board of Trustees of the Nebraska State Colleges

11 and its campuses which are funded through cash funds, federal funds,

12 revolving funds, or private gifts or donations.

13 (10) Agency No. 51 – University of Nebraska

14 Program Nos. 901, 902, 903, 906, 907, 909, 910, 911, 913, 916, 917,

15 918, 920, 921, 922, 924, 934, 939, 944, 946, 974, 976, 984, 995, and 997,

16 and any additional construction programs administratively created

17 relating to the University of Nebraska-Lincoln, the University of

18 Nebraska at Omaha, the University of Nebraska Medical Center, the

19 University of Nebraska at Kearney, the Nebraska College of Technical

20 Agriculture at Curtis, and the University of Nebraska Central

21 Administration which are funded through cash funds, federal funds,

22 revolving funds, or private gifts or donations.

23 (11) Agency No. 65 – Department of Administrative Services

24 Program Nos. 901, 917, 922, 980, and 986.

25 Appropriations to program numbers pertaining to funding for the

26 Deferred Building Renewal Act other than Program number 940 are hereby

27 reappropriated.

28 Sec. 41. FEDERAL FUNDS.

29 Any federal funds not otherwise appropriated, any additional federal

30 funds made available to the credit of the State Treasurer, and any

31 unexpended balances in federal funds on the operative date of this act

1 are hereby appropriated and reappropriated to the agency and project for  
2 which the funds were allocated by the federal government.

3 Sec. 42. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

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

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

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

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

24 At the discretion of the budget administrator of the budget division  
25 of the Department of Administrative Services and the Accounting  
26 Administrator of the Department of Administrative Services, expenditures  
27 of funds from any gift, bequest, or devise may be expended through any  
28 existing or administratively created cash fund account, revolving fund  
29 account, or trust fund account, in which case the actual amount of the  
30 gift, bequest, or devise is hereby appropriated to the expending agency,  
31 for the purpose or purposes designated by the donor, in addition to the

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

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

9 Sec. 43. The One Hundred Seventh Legislature acknowledges that  
10 Article III, section 22, of the Constitution of Nebraska provides that  
11 each Legislature shall make appropriations for the expenses of the  
12 government. Consistent with this provision, any appropriations enacted by  
13 prior Legislatures for fiscal years beginning after June 30, 2021, are  
14 null and void unless specifically reaffirmed by this Legislature.

15 Sec. 44. This act becomes operative on July 1, 2021.

16 Sec. 45. Since an emergency exists, this act takes effect when  
17 passed and approved according to law.