

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 383

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 as approved by the state
7 building division of the Department of Administrative Services. Projects
8 directly related to program continuation such as fire and life safety,
9 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 NEBRASKA CAPITAL			
30 CONSTRUCTION FUND	891,000	-0-	-0-

1	FEDERAL FUND est.	1,697,000	-0-	-0-
2	PROGRAM TOTAL	2,588,000	-0-	-0-

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

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

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

11		FY2021-22	FY2022-23	FUTURE
12	NEBRASKA CAPITAL			
13	CONSTRUCTION FUND	915,000	-0-	-0-
14	FEDERAL FUND est.	915,000	-0-	-0-
15	PROGRAM TOTAL	1,830,000	-0-	-0-

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

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

21 Program No. 900 - State Park System Facility Improvements

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

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

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

28 Program No. 901 - State Parks Facilities Deferred Maintenance

29		FY2021-22	FY2022-23	FUTURE
30	CASH FUND	4,325,000	4,175,000	-0-

1 PROGRAM TOTAL 4,325,000 4,175,000 -0-

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

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

7 Program No. 924 - Wildlife Land Acquisition and Improvement

8		FY2021-22	FY2022-23	FUTURE
9	CASH FUND	200,000	200,000	-0-
10	PROGRAM TOTAL	200,000	200,000	-0-

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

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

15 Program No. 969 - Improvements to State Recreation Areas

16		FY2021-22	FY2022-23	FUTURE
17	CASH FUND	500,000	500,000	-0-
18	PROGRAM TOTAL	500,000	500,000	-0-

19 The Game and Parks Commission is hereby authorized to make state
20 recreation area improvements statewide with the appropriation to this
21 program.

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

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

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

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

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

31 Program No. 975 - Emergency Repairs - Parks

	FY2021-22	FY2022-23	FUTURE
1			
2 CASH FUND	750,000	750,000	-0-
3 PROGRAM TOTAL	750,000	750,000	-0-

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

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

8 Program No. 981 - Aquatic Habitat Enhancement and Restoration

	FY2021-22	FY2022-23	FUTURE
9			
10 CASH FUND	3,000,000	3,000,000	-0-
11 PROGRAM TOTAL	3,000,000	3,000,000	-0-

12 The Game and Parks Commission is hereby authorized to enhance and
13 rehabilitate aquatic habitat statewide with the appropriation to this
14 program.

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

16 It is the intent of the Legislature that the Game and Parks
17 Commission shall apply for and make maximum use of federal funding on all
18 capital construction projects which are eligible for such assistance. It
19 is the intent of the Legislature that all funds appropriated to the Game
20 and Parks Commission for capital construction projects shall only be
21 spent for the purpose of the original appropriation.

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

23 Program No. 905 - Multi-Custody-Level Correctional Facility

	FY2021-22	FY2022-23	FUTURE
24			
25 NEBRASKA CAPITAL			
26 CONSTRUCTION FUND	50,000,000	65,000,000	115,000,000
27 PROGRAM TOTAL	50,000,000	65,000,000	115,000,000

28 The Department of Correctional Services is hereby authorized to
29 procure property for and design, construct, and develop a new multi-
30 custody-level correctional facility with capacity to house approximately
31 one thousand five hundred twelve inmates (mix of maximum, medium, and

1 minimum custody beds).

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

3 Program No. 906 - RTC High Security Expansion

	FY2021-22	FY2022-23	FUTURE
4 NEBRASKA CAPITAL			
5 CONSTRUCTION FUND	14,891,000	-0-	-0-
6 PROGRAM TOTAL	14,891,000	-0-	-0-

8 The Department of Correctional Services is hereby authorized to
9 plan, design, and construct two new high security housing units with
10 design capacity up to three hundred eighty-four new beds, as well as
11 counseling and educational space and adjoining outdoor recreation areas
12 at the Reception and Treatment Center (Lincoln Corrections Center).

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

14 Program No. 913 - Security System Upgrades

	FY2021-22	FY2022-23	FUTURE
15 NEBRASKA CAPITAL			
16 CONSTRUCTION FUND	1,250,000	1,250,000	-0-
17 PROGRAM TOTAL	1,250,000	1,250,000	-0-

19 The Department of Correctional Services is hereby authorized to
20 upgrade security system components at various Department of Correctional
21 Services facilities statewide, including, but not limited to: Replacement
22 of door controls and perimeter detection systems, upgrade of existing
23 video equipment, and upgrade and replacement of security camera systems.

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

25 Program No. 914 - Infrastructure and Maintenance

	FY2021-22	FY2022-23	FUTURE
26 NEBRASKA CAPITAL			
27 CONSTRUCTION FUND	2,000,000	2,000,000	-0-
28 PROGRAM TOTAL	2,000,000	2,000,000	-0-

30 The Department of Correctional Services is hereby authorized to

1 undertake various high priority infrastructure and maintenance projects
2 related to facility roofing, electrical, boiler/chiller/HVAC, fire and
3 life safety, and other needs, which projects the Task Force for Building
4 Renewal is unable to fully address.

5 Sec. 23. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
6 COMMISSION

7 Program No. 908 - Tower Lighting Project

	FY2021-22	FY2022-23	FUTURE
9 NEBRASKA CAPITAL			
10 CONSTRUCTION FUND	180,000	120,000	-0-
11 PROGRAM TOTAL	180,000	120,000	-0-

12 The Nebraska Educational Telecommunications Commission is hereby
13 authorized to replace the tower lighting system at KRNE Merriman and
14 K33AC Pawnee City.

15 Sec. 24. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
16 COMMISSION

17 Program No. 928 - Radio Transmission Equipment Replacement

	FY2021-22	FY2022-23	FUTURE
19 NEBRASKA CAPITAL			
20 CONSTRUCTION FUND	385,000	240,000	-0-
21 PROGRAM TOTAL	385,000	240,000	-0-

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

25 Sec. 25. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
26 COMMISSION

27 Program No. 932 - Carpenter Communication Center Facility Routing

	FY2021-22	FY2022-23	FUTURE
29 NEBRASKA CAPITAL			
30 CONSTRUCTION FUND	-0-	500,000	-0-

1 PROGRAM TOTAL -0- 500,000 -0-

2 The Nebraska Educational Telecommunications Commission is hereby
3 authorized to replace the Legacy Routing System at the Terry Carpenter
4 Communication Center.

5 Sec. 26. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
6 COLLEGES

7 Program No. 903 - State College Facilities - Sports Facilities
8 Projects

	FY2021-22	FY2022-23	FUTURE
9 CASH FUND	300,000	300,000	3,000,000
10 PROGRAM TOTAL	300,000	300,000	3,000,000

12 The Board of Trustees of the Nebraska State Colleges is hereby
13 authorized to renovate and construct or improve facilities for
14 intercollegiate athletics and student fitness, recreation, and sport
15 activities at the Nebraska State Colleges.

16 Sec. 27. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
17 COLLEGES

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

	FY2021-22	FY2022-23	FUTURE
19 GENERAL FUND	1,125,000	1,125,000	7,875,000
20 REVOLVING FUND est.	1,440,000	1,440,000	10,080,000
21 PROGRAM TOTAL	2,565,000	2,565,000	17,955,000

23 The Legislature hereby acknowledges and reaffirms the directive made
24 by sections 85-423, 85-424, and 85-425, which authorizes the Board of
25 Trustees of the Nebraska State Colleges to make expenditures from the
26 State College Facilities Program of 2006 exclusively for projects
27 outlined in section 85-424.

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

30 Program No. 920 - Board Facilities Fee Fund Projects

	FY2021-22	FY2022-23	FUTURE
1			
2 REVOLVING FUND est.	900,000	900,000	9,000,000
3 PROGRAM TOTAL	900,000	900,000	9,000,000

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

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

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

	FY2021-22	FY2022-23	FUTURE
13			
14 GENERAL FUND	2,216,000	2,216,000	26,592,000
15 PROGRAM TOTAL	2,216,000	2,216,000	26,592,000

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

29 Beginning with the fiscal year commencing July 1, 2013, and
30 continuing through the fiscal year ending June 30, 2035, the Legislature
31 shall appropriate each fiscal year from the General Fund an amount not

1 less than \$2,216,000 to be used by the board to pay the costs of
2 constructing a Rangeland Center at Chadron State College, renovating the
3 U.S. Conn Library at Wayne State College, and renovating and constructing
4 an addition to the Math Science Building at Chadron State College. The
5 board may enter into long-term financing contracts with any person, firm,
6 or corporation for the Rangeland Center, U.S. Conn Library, and Math
7 Science Building projects. The payments of the costs of the projects may
8 occur over a contract period not to extend beyond June 30, 2035.

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

1 The Legislature finds and determines that the Rangeland Center, U.S.
 2 Conn Library, and Math Science Building projects are of critical
 3 importance to the State of Nebraska. It is the intent of the Legislature
 4 that the appropriations for the Rangeland Center, U.S. Conn Library, and
 5 Math Science Building projects shall not be reduced until all contracts
 6 and securities relating to the construction and financing of the
 7 Rangeland Center, U.S. Conn Library, and Math Science Building projects
 8 are completed or paid but in no case shall such appropriations extend
 9 beyond the fiscal year ending June 30, 2035.

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

15 Sec. 30. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE
 16 COLLEGES

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

18	FY2021-22	FY2022-23	FUTURE
19 GENERAL FUND	1,601,248	1,757,682	2,101,905
20 PROGRAM TOTAL	1,601,248	1,757,682	2,101,905

21 The Board of Trustees of the Nebraska State Colleges is hereby
 22 authorized in FY2021-22 to complete the Administration Fan Coil Units
 23 Replacement, the Campus Services Geothermal Conversion, and the Library
 24 Geothermal Conversion projects as detailed in the 2018 Campus Utility
 25 Study. The Board of Trustees of the Nebraska State Colleges is hereby
 26 authorized in FY2022-23 to complete the A.V. Larson Geothermal
 27 Conversion, the CATS building Geothermal Conversion, and the Hoyt Science
 28 Hot Water Boiler Installation projects as detailed in the 2018 Campus
 29 Utility Study.

30 Sec. 31. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA
 31 Program No. 906 - NU Facilities Renewal

	FY2021-22	FY2022-23	FUTURE
1			
2 GENERAL FUND	2,165,928	2,671,904	119,021,563
3 PROGRAM TOTAL	2,165,928	2,671,904	119,021,563

4 The total appropriations to this program shall not exceed
5 \$123,859,395.

6 (1) It is the intent of the Legislature that after the terms of any
7 long-term financing agreements have been met for the Nebraska College of
8 Technical Agriculture at Curtis Education Center, the annual \$820,000
9 General Fund appropriation as contained in Laws 2017, LB 330, section 35,
10 be continued through 2050. The annual \$820,000 General Fund appropriation
11 shall be used for renewal, renovations, or repair of existing university
12 facilities.

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

20 (3) The Board of Regents of the University of Nebraska may enter
21 into long-term financing contracts with any person, firm, or corporation
22 to finance university facilities. The Board of Regents may also convey,
23 lease, or lease back all or any part of the university facilities and the
24 land on which any such facility is situated to such person, firm, or
25 corporation as the Board of Regents may contract with pursuant to this
26 section to facilitate the long-term payment of the cost of the
27 facilities. Any such conveyance or lease shall provide that when the cost
28 of the facility has been paid, together with interest and other costs
29 thereon, the facility and the land on which such facility is located
30 shall become the property of the Board of Regents. The Board of Regents
31 may schedule contractual payments on a monthly, quarterly, or semiannual

1 basis consistent with the state fiscal year.

2 (4) Payment of the costs of the renewal, renovation, or repair of
3 existing university facilities for which the General Fund appropriations
4 described in this section are identified as a repayment source may occur
5 over a contract period not to extend beyond June 30, 2050. The Board of
6 Regents shall not pledge the credit of the State of Nebraska for any such
7 contract, except that there may be pledged for payment of any such
8 contract any appropriations made by the Legislature for such purpose.

9 (5) It is the intent of the Legislature that the appropriations
10 described in this section shall not be reduced until all contracts and
11 securities relating to the construction and financing of the facilities
12 are completed or paid but in no case shall such appropriations extend
13 beyond the fiscal year ending June 30, 2050.

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

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

24 Sec. 32. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

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

26		FY2021-22	FY2022-23	FUTURE
27	GENERAL FUND	11,000,000	11,000,000	77,000,000
28	CASH FUND est.	11,000,000	11,000,000	77,000,000
29	PROGRAM TOTAL	22,000,000	22,000,000	154,000,000

30 The Legislature hereby acknowledges and reaffirms the directive made
31 by sections 85-420, 85-421, and 85-422, which authorizes the Board of

1 Regents to make expenditures from appropriated funds for the University
2 of Nebraska Facilities Program of 2006 exclusively for projects as
3 outlined in section 85-421.

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

5 Program No. 930 - Nebraska College of Technical Agriculture at
6 Curtis Education Center

7	FY2021-22	FY2022-23	FUTURE
8 GENERAL FUND	820,000	820,000	1,477,493
9 PROGRAM TOTAL	820,000	820,000	1,477,493

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

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

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

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

2		FY2021-22	FY2022-23	FUTURE
3	GENERAL FUND	1,477,000	971,024	-0-
4	PROGRAM TOTAL	1,477,000	971,024	-0-

5 The Board of Regents of the University of Nebraska is hereby
6 authorized to design and construct a College of Nursing Building at the
7 University of Nebraska-Lincoln. The total project cost is estimated at
8 \$17,650,000 of which \$5,650,000 is private or other funds. Beginning with
9 the fiscal year commencing July 1, 2013, and continuing through the
10 fiscal year ending June 30, 2023, the Legislature shall appropriate each
11 fiscal year from the General Fund an amount not less than \$1,477,000 to
12 be used by the Board of Regents of the University of Nebraska to pay the
13 costs of constructing a College of Nursing Building. The board may enter
14 into long-term financing contracts with any person, firm, or corporation
15 for the College of Nursing Building project. The board may not enter into
16 long-term financing contracts until evidence is provided to the budget
17 administrator of the budget division of the Department of Administrative
18 Services that \$5,650,000 in private or other funds have been received for
19 this project. The payments of the costs of the project may occur over a
20 contract period not to extend beyond June 30, 2023. The board shall not
21 pledge the credit of the State of Nebraska for the payment of any sum
22 owing on account of such contract, except that there may be pledged for
23 the payment of any such contract any appropriations made by the
24 Legislature for such purpose. No contract shall be entered into pursuant
25 to this section without prior approval by resolution by the board. The
26 board may also convey, lease, or lease back all or any part of the
27 College of Nursing Building project and the land on which such project is
28 situated to such person, firm, or corporation as the board may contract
29 with pursuant to this section to facilitate the long-term payment of the
30 costs of the College of Nursing Building project. Any such conveyance or
31 lease shall provide that when the cost of the College of Nursing Building

1 project has been paid, together with interest and other costs thereon,
 2 the College of Nursing Building project and the land on which such
 3 project is located shall become the property of the board. The board may
 4 schedule contractual payments on a monthly, quarterly, or semiannual
 5 basis consistent with the state fiscal year. On or before August 31,
 6 2023, any funds appropriated from the General Fund for the project held
 7 in the state treasury and held by any trustee which are not necessary to
 8 meet the terms of any long-term financing agreements entered into
 9 pursuant to this section shall be transferred to the General Fund.

10 The Legislature finds and determines that the College of Nursing
 11 Building project is of critical importance to the State of Nebraska. It
 12 is the intent of the Legislature that the appropriations for the College
 13 of Nursing Building project shall not be reduced until all contracts and
 14 securities relating to the construction and financing of the College of
 15 Nursing Building project are completed or paid but in no case shall such
 16 appropriations extend beyond the fiscal year ending June 30, 2023.

17 Sec. 35. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
 18 Program No. 922 - Capitol Heating, Ventilating, and Air Conditioning
 19 Systems Replacement

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

22 The Legislature hereby acknowledges and reaffirms the directive made
 23 by Laws 2014, LB905, which authorizes the Office of the Nebraska Capitol
 24 Commission to continue planning for and undertake replacement of the
 25 existing heating, ventilating, and air conditioning systems serving the
 26 Nebraska State Capitol as well as associated infrastructure, fire
 27 protection, life safety, and architectural improvements identified in the
 28 Nebraska State Capitol HVAC Master Plan Amendment, dated September 20,
 29 2013. The Legislature hereby acknowledges and reaffirms its intent to
 30 appropriate future amounts from the General Fund for completion of the
 31

1 project as follows: \$6,110,896 for FY2023-24; and \$7,583,490 for
2 FY2024-25. The total project cost, including the appropriation in Program
3 number 685 for the Capitol Heating, Ventilating, and Air Conditioning
4 Systems Replacement project manager, shall not exceed \$106,008,106.

5 Sec. 36. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES
6 Program No. 940 - Task Force for Building Renewal

7	FY2021-22	FY2022-23	FUTURE
8 CASH FUND	21,273,930	21,273,930	42,547,860
9 PROGRAM TOTAL	21,273,930	21,273,930	42,547,860

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

21 The appropriation to this program is for the purpose of carrying out
22 the provisions of the Deferred Building Renewal Act which includes
23 deferred repair, fire and life safety projects, and compliance with the
24 federal Americans with Disabilities Act (ADA) of 1990. Funds may also be
25 spent on projects related to energy conservation. There is hereby
26 appropriated any available federal funds, plus investment income thereon,
27 for this program for FY2021-22 and FY2022-23. There is included in the
28 appropriation to this program for FY2021-22 an amount not to exceed
29 \$200,000 cash funds and for FY2022-23 an amount not to exceed \$200,000
30 cash funds for building maintenance and renewal training, roof scans and
31 other testing procedures, and consulting work.

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

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

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

18 Program No. 994 - Eastern Nebraska Veterans Home Roof

	FY2021-22	FY2022-23	FUTURE
20 REVOLVING FUND	900,000	-0-	-0-
21 PROGRAM TOTAL	900,000	-0-	-0-

22 Sec. 38. There is hereby appropriated, unless otherwise specified,
23 for FY2021-22 and for FY2022-23 from undisbursed balances existing on
24 June 30, 2021, and on June 30, 2022, respectively, to each agency for
25 each program from the respective funds for capital construction as
26 follows:

27 (1) Agency No. 23 – Department of Labor
28 Program No. 903.

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

31 (3) Agency No. 27 – Department of Transportation

1 Program No. 901, except that the unobligated biennium appropriation
2 balance shall lapse once all projects funded in that biennium are
3 completed, postponed to a future biennium, or indefinitely postponed.

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

5 Program Nos. 904, 936, and 938.

6 (5) Agency No. 31 - Military Department

7 Program Nos. 913, 914, 925, 927, 990, and 992.

8 (6) Agency No. 33 - Game and Parks Commission

9 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967, 968, 969,
10 971, 972, 973, 975, 976, 977, 979, 981, and 987.

11 (7) Agency No. 46 - Department of Correctional Services

12 Program Nos. 905, 906, 913, 914, 921, 927, 928, and 929.

13 (8) Agency No. 47 - Nebraska Educational Telecommunications
14 Commission

15 Program Nos. 908, 928, and 932.

16 (9) Agency No. 50 - Board of Trustees of the Nebraska State Colleges

17 Program Nos. 901, 903, 904, 905, 906, 908, 919, 920, 921, 931, 933,
18 954, and 994, and any additional construction programs administratively
19 created relating to the Board of Trustees of the Nebraska State Colleges
20 and its campuses which are funded through cash funds, federal funds,
21 revolving funds, or private gifts or donations.

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

23 Program Nos. 901, 902, 903, 906, 907, 909, 910, 911, 913, 916, 917,
24 918, 920, 921, 922, 924, 934, 939, 944, 946, 974, 976, 984, 995, and 997,
25 and any additional construction programs administratively created
26 relating to the University of Nebraska-Lincoln, the University of
27 Nebraska at Omaha, the University of Nebraska Medical Center, the
28 University of Nebraska at Kearney, the Nebraska College of Technical
29 Agriculture at Curtis, and the University of Nebraska Central
30 Administration which are funded through cash funds, federal funds,
31 revolving funds, or private gifts or donations.

1 (11) Agency No. 65 – Department of Administrative Services
2 Program Nos. 901, 917, 922, 980, and 986.

3 Appropriations to program numbers pertaining to funding for the
4 Deferred Building Renewal Act other than Program number 940 are hereby
5 reappropriated.

6 Sec. 39. FEDERAL FUNDS.

7 Any federal funds not otherwise appropriated, any additional federal
8 funds made available to the credit of the State Treasurer, and any
9 unexpended balances in federal funds on the operative date of this act
10 are hereby appropriated and reappropriated to the agency and project for
11 which the funds were allocated by the federal government.

12 Sec. 40. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

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

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

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

29 For purposes of this section, gifts, bequests, and devises shall
30 include, but not be limited to, donations, gifts, bequests, devises, and
31 grants from individuals, organizations, corporations, and similar

1 entities and from nonfederal governmental agencies.

2 At the discretion of the budget administrator of the budget division
3 of the Department of Administrative Services and the Accounting
4 Administrator of the Department of Administrative Services, expenditures
5 of funds from any gift, bequest, or devise may be expended through any
6 existing or administratively created cash fund account, revolving fund
7 account, or trust fund account, in which case the actual amount of the
8 gift, bequest, or devise is hereby appropriated to the expending agency,
9 for the purpose or purposes designated by the donor, in addition to the
10 amounts appropriated in this act. If no such cash fund account, revolving
11 fund account, or trust fund account exists, the Accounting Administrator
12 may create such fund account as is necessary to properly and separately
13 account for the gift, bequest, or devise, in which case the actual amount
14 of the gift, bequest, or devise is hereby appropriated to the expending
15 agency, for the purpose or purposes designated by the donor, in addition
16 to the amounts appropriated in this act.

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

18 Sec. 41. The One Hundred Seventh Legislature acknowledges that
19 Article III, section 22, of the Constitution of Nebraska provides that
20 each Legislature shall make appropriations for the expenses of the
21 government. Consistent with this provision, any appropriations enacted by
22 prior Legislatures for fiscal years beginning after June 30, 2021, are
23 null and void unless specifically reaffirmed by this Legislature.

24 Sec. 42. This act becomes operative on July 1, 2021.

25 Sec. 43. Since an emergency exists, this act takes effect when
26 passed and approved according to law.