

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 817

Introduced by Arch, 14; at the request of the Governor.

Read first time January 25, 2023

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 Eighth Legislature, First or Second Session, which
4 appropriates funds, FY2022-23 means the period July 1, 2022, through June
5 30, 2023, FY2023-24 means the period July 1, 2023, through June 30, 2024,
6 FY2024-25 means the period July 1, 2024, through June 30, 2025, FY2025-26
7 means the period July 1, 2025, through June 30, 2026, and FY2026-27 means
8 the period July 1, 2026, through June 30, 2027.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2023-24 and FY2024-25, 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, FY2023-24 to FY2024-25.

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, 2024, for FY2024-25 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 FY2023-24
4 and FY2024-25, 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 FY2023-24 shall
17 be updated if necessary and resubmitted during the period July 1, 2023,
18 to September 1, 2023. Program statements that have been submitted prior
19 to FY2024-25 shall be updated if necessary and resubmitted during the
20 period July 1, 2024, to September 1, 2024, 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, 2024.

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

4		FY2023-24	FY2024-25	FUTURE
5	CASH FUND	15,000,000	15,000,000	-0-
6	PROGRAM TOTAL	15,000,000	15,000,000	-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 – Kearney maintenance facility
- 10 Facility improvements – Minden maintenance facility
- 11 Facility improvements – Falls City maintenance facility
- 12 Facility improvements – Omaha wash bay
- 13 Facility improvements – Fremont wash bay
- 14 Facility improvements – 1600 ROW building
- 15 Facility improvements – Statewide Projects

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

17 Program No. 913 - 1776 Readiness Center Remodel

18		FY2023-24	FY2024-25	FUTURE
19	NEBRASKA CAPITAL			
20	CONSTRUCTION FUND	396,500	-0-	-0-
21	FEDERAL FUND est.	396,500	-0-	-0-
22	PROGRAM TOTAL	793,000	-0-	-0-

23 The Military Department is hereby authorized to continue with the
24 design, planning, and construction related to remodeling the kitchen
25 facilities at the 1776 Readiness Center in Lincoln, Nebraska.

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

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

28		FY2023-24	FY2024-25	FUTURE
29	NEBRASKA CAPITAL			
30	CONSTRUCTION FUND	3,479,125	2,351,255	-0-

1	FEDERAL FUND est.	3,971,375	3,170,505	-0-
2	PROGRAM TOTAL	7,450,500	5,521,760	-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 projects at the Omaha Readiness Center, the Penterman
6 Readiness Center, the Lincoln Readiness Center, the McCook Readiness
7 Center, and the Wahoo Readiness Center.

8 Sec. 11. AGENCY NO. 33 – GAME AND PARKS COMMISSION

9 Program No. 900 - State Park System Facility Improvements

10		FY2023-24	FY2024-25	FUTURE
11	CASH FUND	925,000	925,000	-0-
12	PROGRAM TOTAL	925,000	925,000	-0-

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

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

16 Program No. 901 - State Parks Facilities Deferred Maintenance

17		FY2023-24	FY2024-25	FUTURE
18	CASH FUND	4,175,000	4,175,000	-0-
19	PROGRAM TOTAL	4,175,000	4,175,000	-0-

20 The Game and Parks Commission is hereby authorized to make deferred
21 repairs and maintenance improvements at facilities in the state park
22 system and replace and upgrade facilities in the state park system with
23 the appropriation to this program.

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

25 Program No. 969 - Improvements to State Recreation Areas

26		FY2023-24	FY2024-25	FUTURE
27	CASH FUND	500,000	500,000	-0-
28	PROGRAM TOTAL	500,000	500,000	-0-

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

1 program.

2 It is intended that the following projects be undertaken with funds
3 appropriated to this program for FY2023-24:

4 Area improvements to implement master plan – Lake McConaughy and
5 Lake Ogallala State Recreation Areas \$500,000

6 It is intended that the following projects be undertaken with funds
7 appropriated to this program for FY2024-25:

8 Area improvements to implement master plan – Lake McConaughy and
9 Lake Ogallala State Recreation Areas \$500,000

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

11 Program No. 975 - Emergency Repairs - Parks

	FY2023-24	FY2024-25	FUTURE
12 CASH FUND	750,000	750,000	-0-
13 PROGRAM TOTAL	750,000	750,000	-0-

14
15 The Game and Parks Commission is hereby authorized to make emergency
16 repairs statewide to facilities in the state park system with the
17 appropriation to this program.

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

19 Program No. 981 - Aquatic Habitat Enhancement and Restoration

	FY2023-24	FY2024-25	FUTURE
20 CASH FUND	3,000,000	3,000,000	-0-
21 PROGRAM TOTAL	3,000,000	3,000,000	-0-

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

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

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

1 spent for the purpose of the original appropriation.

2 Sec. 17. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES

3 Program No. 905 - Correctional Facilities: Site Selection and
4 Planning

	FY2023-24	FY2024-25	FUTURE
5 NEBRASKA CAPITAL			
7 CONSTRUCTION FUND	70,000,000	120,083,000	145,000,000
8 PROGRAM TOTAL	70,000,000	120,083,000	145,000,000

9 The Department of Correctional Services is hereby authorized to
10 continue the process of acquiring property for, designing, constructing,
11 and developing a new multi-custody-level correctional facility with
12 capacity to house approximately one thousand five hundred twelve inmates,
13 with a mix of maximum, medium, and minimum custody beds, including site
14 selection and an option to purchase.

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

16 Program No. 913 - Security System Upgrades

	FY2023-24	FY2024-25	FUTURE
17 NEBRASKA CAPITAL			
19 CONSTRUCTION FUND	2,500,000	2,500,000	-0-
20 PROGRAM TOTAL	2,500,000	2,500,000	-0-

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

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

27 Program No. 914 - Infrastructure and Maintenance

	FY2023-24	FY2024-25	FUTURE
28 NEBRASKA CAPITAL			
30 CONSTRUCTION FUND	4,000,000	4,000,000	-0-

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

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

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

8 Program No. 929 - Agency-wide Fire Alarm Replacement

9 FY2023-24 FY2024-25 FUTURE

10 NEBRASKA CAPITAL

11 CONSTRUCTION FUND 13,132,343 -0- 8,030,000

12 PROGRAM TOTAL 13,132,343 -0- 8,030,000

13 The Department of Correctional Services is hereby authorized to
14 proceed with the design, planning, and replacement of the fire alarm
15 systems in the state correctional facilities.

16 Sec. 21. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS
17 COMMISSION

18 Program No. 908 - Tower Lighting Project

19 FY2023-24 FY2024-25 FUTURE

20 NEBRASKA CAPITAL

21 CONSTRUCTION FUND -0- 280,000 -0-

22 PROGRAM TOTAL -0- 280,000 -0-

23 The Nebraska Educational Telecommunications Commission is hereby
24 authorized to replace the tower lighting system at KRNE Merriman and
25 K33AC Pawnee City.

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

28 Program No. 930 - Remote Production Truck Trailer

29 FY2023-24 FY2024-25 FUTURE

30 NEBRASKA CAPITAL

1	CONSTRUCTION FUND	600,000	-0-	-0-
2	PROGRAM TOTAL	600,000	-0-	-0-

3 The Nebraska Educational Telecommunications Commission is hereby
4 authorized to update the existing remote production truck trailer.

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

7 Program No. 931 - Radio Automation & Audio System

8		FY2023-24	FY2024-25	FUTURE
9	NEBRASKA CAPITAL			

10	CONSTRUCTION FUND	-0-	320,000	-0-
11	PROGRAM TOTAL	-0-	320,000	-0-

12 The Nebraska Educational Telecommunications Commission is hereby
13 authorized to modernize the radio studio operating system.

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

16 Program No. 932 - Carpenter Communication Center Facility Routing

17		FY2023-24	FY2024-25	FUTURE
18	NEBRASKA CAPITAL			

19	CONSTRUCTION FUND	1,400,000	600,000	-0-
20	PROGRAM TOTAL	1,400,000	600,000	-0-

21 The Nebraska Educational Telecommunications Commission is hereby
22 authorized to replace the Legacy Routing System at the Terry Carpenter
23 Communication Center.

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

26 Program No. 903 - State College Facilities - Sports Facilities
27 Projects

28		FY2023-24	FY2024-25	FUTURE
29	CASH FUND	300,000	300,000	3,000,000
30	PROGRAM TOTAL	300,000	300,000	3,000,000

1 The Board of Trustees of the Nebraska State Colleges is hereby
2 authorized to renovate and construct or improve facilities for
3 intercollegiate athletics and student fitness, recreation, and sport
4 activities at the Nebraska State Colleges.

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

7 Program No. 919 - State College Facilities Program

	FY2023-24	FY2024-25	FUTURE
8 GENERAL FUND	1,125,000	1,125,000	27,955,000
9 REVOLVING FUND est.	1,440,000	1,440,000	21,600,000
10 PROGRAM TOTAL	2,565,000	2,565,000	49,555,000

11
12 The Legislature hereby acknowledges and reaffirms the directive made
13 by sections 85-423, 85-424, and 85-425, which authorizes the Board of
14 Trustees of the Nebraska State Colleges to make expenditures from the
15 State College Facilities Program exclusively for projects outlined in
16 section 85-424.

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

19 Program No. 920 - Board Facilities Fee Fund Projects

	FY2023-24	FY2024-25	FUTURE
20 REVOLVING FUND est.	900,000	900,000	9,000,000
21 PROGRAM TOTAL	900,000	900,000	9,000,000

22
23 The Legislature hereby acknowledges and reaffirms provisions of
24 section 85-328 which authorize amounts accumulated in the State College
25 Facility Fee Fund to be expended for the purpose of paying the cost of
26 capital improvement projects approved by the Board of Trustees of the
27 Nebraska State Colleges for facilities on campuses or lands owned or
28 controlled by the board.

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

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

	FY2023-24	FY2024-25	FUTURE
1			
2 GENERAL FUND	2,216,000	2,216,000	22,160,000
3 PROGRAM TOTAL	2,216,000	2,216,000	22,160,000

4 The board is authorized to renovate and construct an addition to the
5 Math Science Building at Chadron State College. The amount of project
6 costs to be met by appropriations pursuant to this section is estimated
7 at \$24,094,000. The board is further authorized to expend such other
8 amounts as it may secure from other sources for completion of the
9 projects.

10 Beginning with the fiscal year commencing July 1, 2013, and
11 continuing through the fiscal year ending June 30, 2035, the Legislature
12 shall appropriate each fiscal year from the General Fund an amount not
13 less than \$2,216,000 to be used by the board to pay the costs of
14 renovating and constructing an addition to the Math Science Building at
15 Chadron State College. The board may enter into long-term financing
16 contracts with any person, firm, or corporation for the Math Science
17 Building project. The payments of the costs of the projects may occur
18 over a contract period not to extend beyond June 30, 2035.

19 The board shall not pledge the credit of the State of Nebraska for
20 the payment of any sum owing on account of such contract, except that
21 there may be pledged for the payment of any such contract any
22 appropriations made by the Legislature for such purpose. No contract
23 shall be entered into pursuant to this section without prior approval by
24 resolution by the board. The board may also convey, lease, or lease back
25 all or any part of the Math Science Building project and the land on
26 which such project is situated to such person, firm, or corporation as
27 the board may contract with pursuant to this section to facilitate the
28 long-term payment of the costs of the Math Science Building project. Any
29 such conveyance or lease shall provide that when the costs of the Math
30 Science Building project have been paid, together with interest and other
31 costs thereon, the Math Science Building project and the land on which

1 such project is located shall become the property of the board. The board
2 may schedule contractual payments on a monthly, quarterly, or semiannual
3 basis consistent with the state fiscal year. On or before August 31,
4 2035, any funds appropriated from the General Fund for the project held
5 in the state treasury and held by any trustee which are not necessary to
6 meet the terms of any long-term financing agreements entered into
7 pursuant to this section shall be transferred to the General Fund.

8 The Legislature finds and determines that the Math Science Building
9 project is of critical importance to the State of Nebraska. It is the
10 intent of the Legislature that the appropriations for the Math Science
11 Building project shall not be reduced until all contracts and securities
12 relating to the construction and financing of the Math Science Building
13 project is completed or paid but in no case shall such appropriations
14 extend beyond the fiscal year ending June 30, 2035.

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

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

22	Program No. 940 - Geothermal Utilities Project, Peru State College			
23		FY2023-24	FY2024-25	FUTURE
24	NEBRASKA CAPITAL			
25	CONSTRUCTION FUND	2,101,905	-0-	-0-
26	PROGRAM TOTAL	2,101,905	-0-	-0-

27 The Board of Trustees of the Nebraska State Colleges is hereby
28 authorized in FY2023-24 to complete the Administration Fan Coil Units
29 Replacement, the Campus Services Geothermal Conversion, and the Library
30 Geothermal Conversion projects as detailed in the 2018 Campus Utility
31 Study. The Board of Trustees of the Nebraska State Colleges is hereby

1 authorized in FY2024-25 to complete the A.V. Larson Geothermal
2 Conversion, the CATS building Geothermal Conversion, and the Hoyt Science
3 Hot Water Boiler Installation projects as detailed in the 2018 Campus
4 Utility Study.

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

7		FY2023-24	FY2024-25	FUTURE
8	GENERAL FUND	3,642,928	3,642,928	111,573,200
9	CASH FUND	4,500,000	4,500,000	166,500,000
10	PROGRAM TOTAL	8,142,928	8,142,928	278,073,200

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

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

25 (3) The Board of Regents of the University of Nebraska may enter
26 into long-term financing contracts with any person, firm, or corporation
27 to finance university facilities. The Board of Regents may also convey,
28 lease, or lease back all or any part of the university facilities and the
29 land on which any such facility is situated to such person, firm, or
30 corporation as the Board of Regents may contract with pursuant to this
31 section to facilitate the long-term payment of the cost of the

1 facilities. Any such conveyance or lease shall provide that when the cost
2 of the facility has been paid, together with interest and other costs
3 thereon, the facility and the land on which such facility is located
4 shall become the property of the Board of Regents. The Board of Regents
5 may schedule contractual payments on a monthly, quarterly, or semiannual
6 basis consistent with the state fiscal year.

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

14 (5) It is the intent of the Legislature that the appropriations
15 described in this section shall not be reduced until all contracts and
16 securities relating to the construction and financing of the facilities
17 are completed or paid but in no case shall such appropriations extend
18 beyond the fiscal year ending June 30, 2062.

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

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

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

30 Program No. 920 - University of Nebraska Facilities Program

31 FY2023-24 FY2024-25 FUTURE

1	GENERAL FUND	13,500,000	13,500,000	553,055,136
2	CASH FUND est.	13,500,000	13,500,000	499,500,000
3	PROGRAM TOTAL	27,000,000	27,000,000	1,052,555,136

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

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

10 Program No. 930 - Nebraska College of Technical Agriculture at
11 Curtis Education Center

12		FY2023-24	FY2024-25	FUTURE
13	GENERAL FUND	820,000	820,000	-0-
14	PROGRAM TOTAL	820,000	820,000	-0-

15 The Board of Regents of the University of Nebraska is hereby
16 authorized to design and construct an Education Center at the Nebraska
17 College of Technical Agriculture at Curtis. The total project cost to be
18 supported from state funds is \$8,762,000. Nonstate tax funds of
19 \$1,000,000 shall be used to supplement the project.

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

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

5 Sec. 33. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

6 Program No. 921 - State Patrol Troop A Headquarter Building

	FY2023-24	FY2024-25	FUTURE
8 NEBRASKA CAPITAL			
9 CONSTRUCTION FUND	32,200,000	-0-	-0-
10 PROGRAM TOTAL	32,200,000	-0-	-0-

11 The Department of Administrative Services is hereby authorized to
12 demolish the existing facility and plan, design, construct, and develop a
13 new facility for the Nebraska State Patrol Troop A area headquarters in
14 Omaha.

15 Sec. 34. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

16 Program No. 922 - Capitol Heating, Ventilating, and Air Conditioning
17 Systems Replacement

	FY2023-24	FY2024-25	FUTURE
19 NEBRASKA CAPITAL			
20 CONSTRUCTION FUND	17,463,952	15,407,545	6,110,896
21 PROGRAM TOTAL	17,463,952	15,407,545	6,110,896

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 project as follows: \$6,110,896 for FY2025-26. The total project cost,

1 including the appropriation in Program number 685 for the Capitol
2 Heating, Ventilating, and Air Conditioning Systems Replacement project
3 manager, shall not exceed \$131,296,113.

4 Sec. 35. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

5 Program No. 925 - NSOB Electrical Upgrade

	FY2023-24	FY2024-25	FUTURE
6			
7 NEBRASKA CAPITAL			
8 CONSTRUCTION FUND	8,000,000	-0-	-0-
9 PROGRAM TOTAL	8,000,000	-0-	-0-

10 The Department of Administrative Services State Building Division is
11 hereby authorized to replace all the low-voltage electrical equipment and
12 emergency systems within the Nebraska State Office Building (NSOB) in
13 Lincoln.

14 Sec. 36. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

15 Program No. 940 - Task Force for Building Renewal

	FY2023-24	FY2024-25	FUTURE
16			
17 CASH FUND	21,273,930	21,273,930	42,547,860
18 PROGRAM TOTAL	21,273,930	21,273,930	42,547,860

19 The Legislature hereby acknowledges and reaffirms the directive made
20 by section 77-2602, which is to place amounts from the special privilege
21 tax on cigarettes in the Building Renewal Allocation Fund for FY1997-98
22 and continuing each fiscal year until all the purposes of the Deferred
23 Building Renewal Act have been fulfilled. The Legislature hereby further
24 acknowledges and reaffirms directives made by sections 81-188.01,
25 81-188.03, and 81-188.05 to utilize amounts from certain depreciation
26 charges credited to the State Building Renewal Assessment Fund,
27 University Building Renewal Assessment Fund, and State College Building
28 Renewal Assessment Fund for purposes as provided in the Deferred Building
29 Renewal Act.

30 The appropriation to this program is for the purpose of carrying out
31 the provisions of the Deferred Building Renewal Act which includes

1 deferred repair, fire and life safety projects, and compliance with the
2 federal Americans with Disabilities Act (ADA) of 1990. Funds may also be
3 spent on projects related to energy conservation. There is hereby
4 appropriated any available federal funds, plus investment income thereon,
5 for this program for FY2023-24 and FY2024-25. There is included in the
6 appropriation to this program for FY2023-24 an amount not to exceed
7 \$200,000 cash funds and for FY2024-25 an amount not to exceed \$200,000
8 cash funds for building maintenance and renewal training, roof scans and
9 other testing procedures, and consulting work.

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

15 None of the funds appropriated to this program shall be used for
16 operating budget compliance with the federal Americans with Disabilities
17 Act of 1990. Expenditures for deferred repair, fire and life safety
18 projects, and compliance with the federal Americans with Disabilities Act
19 of 1990 may be made through the same program on the Allotment Status
20 Report in the Nebraska Information System, except that expenditures for
21 deferred repair, fire and life safety projects, and compliance with the
22 federal Americans with Disabilities Act of 1990 shall each be kept
23 separate by subprogram on the Budget Status Report in the Nebraska
24 Information System or through the use of the Grant Project Status Report
25 or some other accounting mechanism.

26 Sec. 37. There is hereby appropriated, unless otherwise specified,
27 for FY2023-24 and for FY2024-25 from undisbursed balances existing on
28 June 30, 2023, and on June 30, 2024, respectively, to each agency for
29 each program from the respective funds for capital construction as
30 follows:

31 (1) Agency No. 23 – Department of Labor

1 Program No. 903.

2 (2) Agency No. 25 – Department of Health and Human Services
3 Program Nos. 919, 931, and 936.

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

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

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

12 (6) Agency No. 33 – Game and Parks Commission
13 Program Nos. 900, 901, 902, 919, 924, 955, 960, 965, 966, 967, 968,
14 969, 971, 972, 973, 975, 976, 977, 979, 981, and 987.

15 (7) Agency No. 46 – Department of Correctional Services
16 Program Nos. 905, 906, 913, 914, 921, 927, 928, and 929.

17 (8) Agency No. 47 – Nebraska Educational Telecommunications
18 Commission
19 Program Nos. 908, 928, 932, and 991.

20 (9) Agency No. 50 – Board of Trustees of the Nebraska State Colleges
21 Program Nos. 901, 903, 908, 919, 920, 921, 931, 933, 940, 953, 954,
22 955, 994, and 996, and any additional construction programs
23 administratively created relating to the Board of Trustees of the
24 Nebraska State Colleges and its campuses which are funded through cash
25 funds, federal funds, revolving funds, or private gifts or donations.

26 (10) Agency No. 51 – University of Nebraska
27 Program Nos. 901, 902, 903, 906, 910, 911, 912, 913, 916, 917, 918,
28 920, 922, 923, 924, 925, 928, 929, 930, 931, 932, 933, 934, 939, 944,
29 945, 954, 955, 967, 975, 980, 983, 984, 985, 986, 987, 990, 993, 994, and
30 996, and any additional construction programs administratively created
31 relating to the University of Nebraska-Lincoln, the University of

1 Nebraska at Omaha, the University of Nebraska Medical Center, the
2 University of Nebraska at Kearney, the Nebraska College of Technical
3 Agriculture at Curtis, and the University of Nebraska Central
4 Administration which are funded through cash funds, federal funds,
5 revolving funds, or private gifts or donations.

6 (11) Agency No. 64 – Nebraska State Patrol
7 Program No. 904.

8 (12) Agency No. 65 – Department of Administrative Services
9 Program Nos. 901, 917, 922, 980, 986, and 994.

10 Appropriations to program numbers pertaining to funding for the
11 Deferred Building Renewal Act other than Program number 940 are hereby
12 reappropriated.

13 (13) Agency No. 78 – Nebraska Commission on Law Enforcement and
14 Criminal Justice
15 Program No. 903.

16 Sec. 38. FEDERAL FUNDS.

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

22 Sec. 39. GIFTS, BEQUESTS, AND DEVISES.

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

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

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

31 (2) Any gift or bequest of personal property in excess of \$10,000

1 shall be approved by the Governor before acceptance;

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

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

8 For purposes of this section, gifts, bequests, and devises shall
9 include, but not be limited to, donations, gifts, bequests, devises, and
10 grants from individuals, organizations, corporations, and similar
11 entities and from nonfederal governmental agencies.

12 At the discretion of the budget administrator of the budget division
13 of the Department of Administrative Services and the Accounting
14 Administrator of the Department of Administrative Services, expenditures
15 of funds from any gift, bequest, or devise may be expended through any
16 existing or administratively created cash fund account, revolving fund
17 account, or trust fund account, in which case the actual amount of the
18 gift, bequest, or devise is hereby appropriated to the expending agency,
19 for the purpose or purposes designated by the donor, in addition to the
20 amounts appropriated in this act. If no such cash fund account, revolving
21 fund account, or trust fund account exists, the Accounting Administrator
22 may create such fund account as is necessary to properly and separately
23 account for the gift, bequest, or devise, in which case the actual amount
24 of the gift, bequest, or devise is hereby appropriated to the expending
25 agency, for the purpose or purposes designated by the donor, in addition
26 to the amounts appropriated in this act.

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

28 Sec. 40. The One Hundred Eighth Legislature acknowledges that
29 Article III, section 22, of the Constitution of Nebraska provides that
30 each Legislature shall make appropriations for the expenses of the
31 government. Consistent with this provision, any appropriations enacted by

1 prior Legislatures for fiscal years beginning after June 30, 2023, are
2 null and void unless specifically reaffirmed by this Legislature.

3 Sec. 41. This act becomes operative on July 1, 2023.

4 Sec. 42. Since an emergency exists, this act takes effect when
5 passed and approved according to law.