

# LEGISLATIVE BILL 297

Approved by the Governor May 27, 2019

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

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements and a request for funding; to provide an operative date; and to declare an emergency.  
Be it enacted by the people of the State of Nebraska,

Section 1. DEFINITION OF APPROPRIATION PERIOD.

For purposes of this act and any other legislative bill passed by the One Hundred Sixth Legislature, First or Second Session, which appropriates funds, FY2018-19 means the period July 1, 2018, through June 30, 2019, FY2019-20 means the period July 1, 2019, through June 30, 2020, FY2020-21 means the period July 1, 2020, through June 30, 2021, FY2021-22 means the period July 1, 2021, through June 30, 2022, and FY2022-23 means the period July 1, 2022, through June 30, 2023.

Sec. 2. APPROPRIATION LANGUAGE.

There are hereby appropriated, for FY2019-20 and FY2020-21, the sums set forth in this act to each agency for each program from the respective funds for capital construction projects, land acquisition, lease-purchase arrangements, and major equipment acquisition, except as otherwise appropriated.

Sec. 3. REAPPROPRIATION OF BALANCE, FY2019-20 to FY2020-21.

In addition to the appropriations set forth in this act, there are hereby reappropriated all unexpended appropriation balances existing on June 30, 2020, for FY2020-21 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

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

Sec. 5. DRAWING AND PAYING WARRANTS.

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

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

The biennial appropriations contained in this act covering FY2019-20 and FY2020-21, which have been designated for planning, require from the agency a complete program statement prepared in accordance with the Procedural Manual for Capital Construction as approved by the state building division of the Department of Administrative Services. Projects directly related to program continuation such as fire and life safety, maintenance, utility improvements, handicapped access, and master planning require a statement of needs prepared in accordance with the manual. An appropriation for drawings and construction may be recommended only after submission of an acceptable program statement or statement of needs on or before September 15 to the state building division, the budget division of the Department of Administrative Services, and the Legislative Fiscal Analyst.

Program statements that have been submitted prior to FY2019-20 shall be updated if necessary and resubmitted during the period July 1, 2019, to September 1, 2019. Program statements that have been submitted prior to FY2020-21 shall be updated if necessary and resubmitted during the period July 1, 2020, to September 1, 2020, by agency priority. Such priority shall be subject to final modification by the governing authority of each agency on or before September 15, 2020.

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

Sec. 8. AGENCY NO. 23 – DEPARTMENT OF LABOR

Program No. 903 - Department of Labor Administration Building HVAC

	FY2019-20	FY2020-21	FUTURE
CASH FUND	1,675,554	1,781,378	-0-
FEDERAL FUND est.	624,446	3,150,000	-0-

PROGRAM TOTAL 2,300,000 4,931,378 -0-

The Department of Labor is hereby authorized to proceed with the design, planning, and construction related to facility renovation and replacement of the heating, ventilating, and air conditioning systems at the 550 Department of Labor Building in Lincoln, Nebraska.

Sec. 9. AGENCY NO. 27 – DEPARTMENT OF TRANSPORTATION  
Program No. 901 - Facility Improvements

	FY2019-20	FY2020-21	FUTURE
CASH FUND	10,000,000	10,000,000	-0-
PROGRAM TOTAL	10,000,000	10,000,000	-0-

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

- New maintenance facility – South Sioux City
  - New maintenance facility – Burwell
  - New maintenance facility – Valentine
  - Facility improvements – Atkinson
  - Facility improvements, small projects – Statewide
- Sec. 10. AGENCY NO. 28 – DEPARTMENT OF VETERANS' AFFAIRS  
Program No. 936 - Eastern Nebraska Veterans' Home Addition

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	3,308,000	-0-	-0-
FEDERAL FUND est.	6,144,000	-0-	-0-
PROGRAM TOTAL	9,452,000	-0-	-0-

The Department of Veterans' Affairs is hereby authorized to proceed with the design, planning, and construction of additional housing capacity at the Eastern Nebraska Veterans' Home with the appropriation to this program.

Sec. 11. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 913 - 1776 Readiness Center Remodel

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	100,000	500,000	500,000
FEDERAL FUND est.	100,000	500,000	500,000
PROGRAM TOTAL	200,000	1,000,000	1,000,000

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

Sec. 12. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 914 - Penterman Readiness Center Medical Addition

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	687,500	-0-	-0-
FEDERAL FUND est.	2,062,500	-0-	-0-
PROGRAM TOTAL	2,750,000	-0-	-0-

The Military Department is hereby authorized to proceed with the design, planning, and remodeling of existing facilities and construction of a new medical detachment addition at the readiness center in Penterman, Nebraska.

Sec. 13. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 925 - Federal Construction Projects

	FY2019-20	FY2020-21	FUTURE
FEDERAL FUND est.	-0-	8,994,000	1,871,000
PROGRAM TOTAL	-0-	8,994,000	1,871,000

The Military Department is hereby authorized to proceed with the design, planning, and construction of a new maintenance shop in North Platte, Nebraska.

Sec. 14. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 927 - Readiness Center Paving Projects

	FY2019-20	FY2020-21	FUTURE
FEDERAL FUND est.	-0-	485,000	-0-
PROGRAM TOTAL	-0-	485,000	-0-

The Military Department is hereby authorized to proceed with the design, planning, and resurface paving of readiness center parking lot projects in Broken Bow, Scottsbluff, and Sidney, Nebraska.

Sec. 15. AGENCY NO. 31 – MILITARY DEPARTMENT  
Program No. 990 - Bellevue Readiness Center

	FY2019-20	FY2020-21	FUTURE
FEDERAL FUND est.	29,000,000	1,554,000	-0-
PROGRAM TOTAL	29,000,000	1,554,000	-0-

The Military Department is hereby authorized to proceed with the planning and construction related to a new National Guard Readiness Center at Offutt Air Force Base in Bellevue, Nebraska.

Sec. 16. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 901 - State Parks Facilities Deferred Maintenance

	FY2019-20	FY2020-21	FUTURE
CASH FUND	5,800,000	5,800,000	-0-
PROGRAM TOTAL	5,800,000	5,800,000	-0-

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

Sec. 17. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 924 - Wildlife Land Acquisition and Improvement

	FY2019-20	FY2020-21	FUTURE
CASH FUND	1,000,000	1,000,000	-0-
PROGRAM TOTAL	1,000,000	1,000,000	-0-

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

Sec. 18. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 966 - State Recreational Trails

	FY2019-20	FY2020-21	FUTURE
CASH FUND	100,000	100,000	-0-
PROGRAM TOTAL	100,000	100,000	-0-

The Game and Parks Commission is hereby authorized to maintain the trail and to repair bridge decking on the Cowboy Trail.

Sec. 19. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 969 - Improvements to State Recreation Areas

	FY2019-20	FY2020-21	FUTURE
CASH FUND	500,000	500,000	-0-
PROGRAM TOTAL	500,000	500,000	-0-

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

It is intended that the following projects be undertaken with funds appropriated to this program for FY2019-20:

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

It is intended that the following projects be undertaken with funds appropriated to this program for FY2020-21:

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

Sec. 20. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 973 - Fish Production

	FY2019-20	FY2020-21	FUTURE
CASH FUND	1,800,000	-0-	-0-
PROGRAM TOTAL	1,800,000	-0-	-0-

The Game and Parks Commission is hereby authorized to make fisheries

improvements statewide, such as improvements to hatcheries and the acquisition and development of fishing access facilities, with the appropriation to this program.

Sec. 21. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 975 - Emergency Repairs - Parks

	FY2019-20	FY2020-21	FUTURE
CASH FUND	950,000	950,000	-0-
PROGRAM TOTAL	950,000	950,000	-0-

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

Sec. 22. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 976 - Emergency Repairs - Wildlife Areas

	FY2019-20	FY2020-21	FUTURE
CASH FUND	300,000	300,000	-0-
PROGRAM TOTAL	300,000	300,000	-0-

The Game and Parks Commission is hereby authorized to make emergency repairs statewide to wildlife areas with the appropriation to this program.

Sec. 23. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 979 - Cowboy Trail Emergency Repairs

	FY2019-20	FY2020-21	FUTURE
CASH FUND	100,000	-0-	-0-
PROGRAM TOTAL	100,000	-0-	-0-

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

Sec. 24. AGENCY NO. 33 – GAME AND PARKS COMMISSION  
Program No. 981 - Aquatic Habitat Enhancement and Restoration

	FY2019-20	FY2020-21	FUTURE
CASH FUND	3,000,000	2,500,000	-0-
PROGRAM TOTAL	3,000,000	2,500,000	-0-

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

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

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

Sec. 26. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES  
Program No. 906 - RTC High Security Expansion

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	2,080,000	31,989,000	14,891,000
PROGRAM TOTAL	2,080,000	31,989,000	14,891,000

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

Sec. 27. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES  
Program No. 913 - Security System Upgrades

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	1,250,000	1,250,000	-0-
PROGRAM TOTAL	1,250,000	1,250,000	-0-

The Department of Correctional Services is hereby authorized to upgrade security system components at various Department of Correctional Services facilities statewide, including, but not limited to: Upgrades at various facilities including replacement of perimeter detection systems at Nebraska

State Penitentiary, Omaha Correctional Center, and Tecumseh State Correctional Institution; door control upgrades at the Nebraska Center for Women and Omaha Correctional Center; and numerous camera and recording upgrades at all facilities.

Sec. 28. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES  
Program No. 914 - Infrastructure and Maintenance

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	2,000,000	2,000,000	-0-
PROGRAM TOTAL	2,000,000	2,000,000	-0-

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

Sec. 29. AGENCY NO. 46 – DEPARTMENT OF CORRECTIONAL SERVICES  
Program No. 928 - Reception and Treatment Center

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	34,882,173	-0-	-0-
PROGRAM TOTAL	34,882,173	-0-	-0-

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

Sec. 30. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION  
Program No. 905 - KLNE Lexington Transmitter

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	480,000	-0-	-0-
PROGRAM TOTAL	480,000	-0-	-0-

The Nebraska Educational Telecommunications Commission is hereby authorized to replace the transmitter at KLNE Lexington.

Sec. 31. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION  
Program No. 908 - Tower Lighting Project

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	135,000	28,000	-0-
NEBRASKA CAPITAL			
CONSTRUCTION FUND	135,000	140,000	-0-
PROGRAM TOTAL	270,000	168,000	-0-

The Nebraska Educational Telecommunications Commission is hereby authorized to replace the tower lighting system at KTNE Alliance and KUON Ithaca.

Sec. 32. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION  
Program No. 918 - KXNE Norfolk Transmitter

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	-0-	427,000	-0-
PROGRAM TOTAL	-0-	427,000	-0-

The Nebraska Educational Telecommunications Commission is hereby authorized to replace the transmitter at KXNE Norfolk.

Sec. 33. AGENCY NO. 47 – NEBRASKA EDUCATIONAL TELECOMMUNICATIONS COMMISSION  
Program No. 928 - Radio Transmission Equipment Replacement

	FY2019-20	FY2020-21	FUTURE
NEBRASKA CAPITAL			
CONSTRUCTION FUND	270,000	120,000	-0-
PROGRAM TOTAL	270,000	120,000	-0-

The Nebraska Educational Telecommunications Commission is hereby authorized to replace the radio transmission equipment at KTNE Alliance and KRNE Merriman.

Sec. 34. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 903 - State College Facilities - Sports Facilities Projects

	FY2019-20	FY2020-21	FUTURE
CASH FUND	300,000	300,000	3,000,000
PROGRAM TOTAL	300,000	300,000	3,000,000

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

Sec. 35. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 919 - State College Facilities Program of 2006

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	1,125,000	1,125,000	10,125,000
REVOLVING FUND est.	1,200,000	1,440,000	12,960,000
PROGRAM TOTAL	2,325,000	2,565,000	23,085,000

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

Sec. 36. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 920 - Board Facilities Fee Fund Projects

	FY2019-20	FY2020-21	FUTURE
REVOLVING FUND est.	900,000	660,000	6,600,000
PROGRAM TOTAL	900,000	660,000	6,600,000

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

Sec. 37. AGENCY NO. 50 – BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
Program No. 933 - Chadron State College Rangeland Center, Wayne State College U.S. Conn Library, and Chadron State College Math Science Building

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	2,216,000	2,216,000	31,024,000
PROGRAM TOTAL	2,216,000	2,216,000	31,024,000

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

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

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

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

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

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

Sec. 38. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 906 - NU Facilities Renewal

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

It is the intent of the Legislature that after the terms of any long-term financing agreements have been met for the Veterinary Diagnostic Center, the annual \$5,101,000 General Fund appropriation as contained in Laws 2017, LB 330, section 36, be continued not to exceed \$2,165,928 through 2050. The annual \$2,165,928 General Fund appropriation shall be used for renewal, renovations, or repair of existing university facilities.

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

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

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

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

Sec. 39. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 920 - University of Nebraska Facilities Program of 2006

GENERAL FUND	11,000,000	11,000,000	99,000,000
CASH FUND est.	11,000,000	11,000,000	89,025,950
PROGRAM TOTAL	22,000,000	22,000,000	188,025,950

The Legislature hereby acknowledges and reaffirms the directive made by sections 85-420, 85-421, and 85-422, which authorizes the Board of Regents to make expenditures from appropriated funds for the University of Nebraska Facilities Program of 2006 exclusively for projects as outlined in section 85-421.

Sec. 40. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

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

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	820,000	820,000	1,402,000
PROGRAM TOTAL	820,000	820,000	1,402,000

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

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

Sec. 41. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA

Program No. 939 - Veterinary Diagnostic Center

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	5,101,000	2,733,600	-0-
PROGRAM TOTAL	5,101,000	2,733,600	-0-

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

Beginning with the fiscal year commencing July 1, 2016, and continuing through the fiscal year ending June 30, 2020, the Legislature shall appropriate each fiscal year from the General Fund an amount not less than \$5,101,000 to be used by the Board of Regents of the University of Nebraska to pay the costs of constructing a Veterinary Diagnostic Center. Beginning with the fiscal year commencing July 1, 2020, and continuing through the fiscal year ending June 30, 2021, the Legislature shall appropriate from the General Fund an amount not less than \$2,165,928 to be used by the Board of Regents of the University of Nebraska to pay the costs of constructing a Veterinary Diagnostic Center. The board may enter into long-term financing contracts with any person, firm, or corporation for the Veterinary Diagnostic Center project. The board may not enter into long-term financing contracts until evidence is provided to the budget administrator of the budget division of the Department of Administrative Services that \$4,150,000 in private or other funds have been received for this project. The payments of the costs of the project may occur over a contract period not to extend beyond June 30, 2024. The board shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriations made by the Legislature for such purpose. No contract shall be entered into pursuant to this section without prior approval by resolution by the board. The board may also convey, lease, or lease back all or any part of the Veterinary Diagnostic Center project and the land on which such project is situated to such person, firm, or corporation as the board may contract with pursuant to this section to facilitate the long-term payment of the cost of the Veterinary Diagnostic Center project. Any such conveyance or lease shall provide that when the cost of the Veterinary Diagnostic Center project has been paid, together with interest and other costs thereon, the Veterinary Diagnostic Center project and the land on which such project is



located shall become the property of the board. The board may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2024, any funds appropriated from the General Fund for the project held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund. The Legislature finds and determines that the Veterinary Diagnostic Center project is of critical importance to the State of Nebraska. It is the intent of the Legislature that the appropriations for the Veterinary Diagnostic Center project shall not be reduced until all contracts and securities relating to the construction and financing of the Veterinary Diagnostic Center project are completed or paid but in no case shall such appropriations extend beyond the fiscal year ending June 30, 2024.

Sec. 42. AGENCY NO. 51 – UNIVERSITY OF NEBRASKA  
Program No. 976 - College of Nursing Building - Lincoln Division

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	1,477,000	1,477,000	1,580,327
PROGRAM TOTAL	1,477,000	1,477,000	1,580,327

The Board of Regents of the University of Nebraska is hereby authorized to design and construct a College of Nursing Building at the University of Nebraska-Lincoln. The total project cost is estimated at \$17,650,000 of which \$5,650,000 is private or other funds. Beginning with the fiscal year commencing July 1, 2013, and continuing through the fiscal year ending June 30, 2023, the Legislature shall appropriate each fiscal year from the General Fund an amount not less than \$1,477,000 to be used by the Board of Regents of the University of Nebraska to pay the costs of constructing a College of Nursing Building. The board may enter into long-term financing contracts with any person, firm, or corporation for the College of Nursing Building project. The board may not enter into long-term financing contracts until evidence is provided to the budget administrator of the budget division of the Department of Administrative Services that \$5,650,000 in private or other funds have been received for this project. The payments of the costs of the project may occur over a contract period not to extend beyond June 30, 2023. The board shall not pledge the credit of the State of Nebraska for the payment of any sum owing on account of such contract, except that there may be pledged for the payment of any such contract any appropriations made by the Legislature for such purpose. No contract shall be entered into pursuant to this section without prior approval by resolution by the board. The board may also convey, lease, or lease back all or any part of the College of Nursing Building project and the land on which such project is situated to such person, firm, or corporation as the board may contract with pursuant to this section to facilitate the long-term payment of the costs of the College of Nursing Building project. Any such conveyance or lease shall provide that when the cost of the College of Nursing Building project has been paid, together with interest and other costs thereon, the College of Nursing Building project and the land on which such project is located shall become the property of the board. The board may schedule contractual payments on a monthly, quarterly, or semiannual basis consistent with the state fiscal year. On or before August 31, 2023, any funds appropriated from the General Fund for the project held in the state treasury and held by any trustee which are not necessary to meet the terms of any long-term financing agreements entered into pursuant to this section shall be transferred to the General Fund.

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

Sec. 43. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 922 - Capitol Heating, Ventilating, and Air Conditioning Systems Replacement

	FY2019-20	FY2020-21	FUTURE
GENERAL FUND	16,391,811	8,089,861	41,374,174
PROGRAM TOTAL	16,391,811	8,089,861	41,374,174

The Legislature hereby acknowledges and reaffirms the directive made by Laws 2014, LB905, which authorizes the Office of the Nebraska Capitol Commission to continue planning for and undertake replacement of the existing heating, ventilating, and air conditioning systems serving the Nebraska State Capitol as well as associated infrastructure, fire protection, life safety, and architectural improvements identified in the Nebraska State Capitol HVAC Master Plan Amendment, dated September 20, 2013. The Legislature hereby acknowledges and reaffirms its intent to appropriate future amounts from the General Fund for completion of the project as follows: \$14,500,000 for FY2021-22; \$11,500,000 for FY2022-23; \$11,300,000 for FY2023-24; and \$4,074,174 for FY2024-25. The total project cost, including the appropriation in Program

number 685 for the Capitol Heating, Ventilating, and Air Conditioning Systems Replacement project manager, shall not exceed \$106,008,106.

Sec. 44. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES  
Program No. 940 - Task Force for Building Renewal

	FY2019-20	FY2020-21	FUTURE
CASH FUND	21,273,930	21,273,930	42,547,860
PROGRAM TOTAL	21,273,930	21,273,930	42,547,860

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

The appropriation to this program is for the purpose of carrying out the provisions of the Deferred Building Renewal Act which includes deferred repair, fire and life safety projects, and compliance with the federal Americans with Disabilities Act (ADA) of 1990. Funds may also be spent on projects related to energy conservation. There is hereby appropriated any available federal funds, plus investment income thereon, for this program for FY2019-20 and FY2020-21. There is included in the appropriation to this program for FY2019-20 an amount not to exceed \$200,000 cash funds and for FY2020-21 an amount not to exceed \$200,000 cash funds for building maintenance and renewal training, roof scans and other testing procedures, and consulting work.

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

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

Sec. 45. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 984 - Planning Funds for Office/Parking Structure at Geothermal Well Field Site

	FY2019-20	FY2020-21	FUTURE
REVOLVING FUND	4,000,000	-0-	-0-
PROGRAM TOTAL	4,000,000	-0-	-0-

There is included in the appropriation to this program \$4,000,000 from the State Building Revolving Fund for FY2019-20 to aid in carrying out the provisions of this section. The Department of Administrative Services is authorized to undertake and complete all phases of project planning for construction of a structure at the City of Lincoln block bounded by 17th, 18th, K, and L Streets to accommodate state offices as well as vehicle parking. The Director of Administrative Services shall notify the Chairperson of the Appropriations Committee of the Legislature upon completion of the schematic design phase of project planning for the structure. Upon such notification, the chairperson shall schedule a hearing of the Appropriations Committee at which the director shall appear and provide a summary of the contents of the schematic design planning document for the project, a timeline for subsequent planning phases for the project, a timeline for construction of the structure, and an update with respect to plans for financing construction and other costs as may be associated with completion of the proposed project. The department shall not proceed beyond the schematic design planning phase for the project prior to the hearing as provided for in this section.

Sec. 46. AGENCY NO. 65 – DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 985 - Existing and Future Capitol Area Parking Needs Analysis

	FY2019-20	FY2020-21	FUTURE
REVOLVING FUND	150,000	-0-	-0-
PROGRAM TOTAL	150,000	-0-	-0-

There is included in the appropriation to this program \$150,000 from the Capitol Buildings Parking Revolving Fund for FY2019-20 to aid in carrying out

the provisions of this section. The Department of Administrative Services shall enter into a contract with a parking consultant for professional analysis of existing parking and future parking needs in the vicinity of the Capitol. Such analysis shall include, but is not intended to be limited to, identification of existing Capitol vicinity parking facilities, the capacity of such facilities, parking needs as such relate to state employees assigned to the Capitol and other Capitol vicinity locations, parking needs as such relate to those visiting and conducting state-related business at the Capitol or Capitol vicinity locations, and identification of best practices for a parking system to meet related needs. The analysis shall also include identification and prioritization of prospective sites for parking facilities to meet identified parking needs and suggestions regarding multi-use opportunities and possibilities for public-private and intergovernmental partnerships to address state, city, and neighborhood parking needs. The analysis shall be completed no later than January 1, 2020, and shall be submitted electronically to the Governor, the Chairperson of the Executive Board of the Legislative Council, and the Chairperson of the Appropriations Committee of the Legislature.

Sec. 47. There is hereby appropriated, unless otherwise specified, for FY2019-20 and for FY2020-21 from undisbursed balances existing on June 30, 2019, and on June 30, 2020, respectively, to each agency for each program from the respective funds for capital construction as follows:

- (1) Agency No. 23 – Department of Labor  
Program No. 903.
- (2) Agency No. 25 – Department of Health and Human Services  
Program No. 919.
- (3) Agency No. 27 – Department of Transportation  
Program No. 901, except that the unobligated biennium appropriation balance shall lapse once all projects funded in that biennium are completed, postponed to a future biennium, or indefinitely postponed.
- (4) Agency No. 28 – Department of Veterans' Affairs  
Program No. 904.
- (5) Agency No. 31 – Military Department  
Program Nos. 913, 914, 925, 927, and 990.
- (6) Agency No. 33 – Game and Parks Commission  
Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967, 968, 969, 971, 972, 973, 975, 976, 977, 979, 981, and 987.
- (7) Agency No. 46 – Department of Correctional Services  
Program Nos. 906, 913, 914, 921, 927, 928, and 929.
- (8) Agency No. 47 – Nebraska Educational Telecommunications Commission  
Program Nos. 905, 908, 918, and 928.
- (9) Agency No. 50 – Board of Trustees of the Nebraska State Colleges  
Program Nos. 901, 903, 904, 905, 906, 912, 919, 920, 921, 933, 954, 955, 994, and 997, and any additional construction programs administratively created relating to the Board of Trustees of the Nebraska State Colleges and its campuses which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.
- (10) Agency No. 51 – University of Nebraska  
Program Nos. 901, 902, 903, 906, 907, 909, 911, 914, 915, 917, 918, 919, 920, 921, 924, 926, 927, 930, 936, 937, 939, 942, 943, 944, 948, 950, 954, 956, 958, 961, 963, 964, 965, 967, 969, 974, 975, 976, 978, 981, 983, 984, 986, 987, 990, 992, 994, 996, and 998, and any additional construction programs administratively created relating to the University of Nebraska-Lincoln, the University of Nebraska at Omaha, the University of Nebraska Medical Center, the University of Nebraska at Kearney, the Nebraska College of Technical Agriculture at Curtis, and the University of Nebraska Central Administration which are funded through cash funds, federal funds, revolving funds, or private gifts or donations.
- (11) Agency No. 65 – Department of Administrative Services  
Program Nos. 901, 917, 922, 980, and 986.  
Appropriations to program numbers pertaining to funding for the Deferred Building Renewal Act other than Program number 940 are hereby reappropriated.

Sec. 48. FEDERAL FUNDS.

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

Sec. 49. GIFTS, BEQUESTS, AND DEVISES.

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

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

- (1) No matching of state funds shall be required as a condition of acceptance;
- (2) Any gift or bequest of personal property in excess of \$10,000 shall be approved by the Governor before acceptance;
- (3) Any gift or devise of real property in excess of \$10,000 shall be approved by the Governor and the Legislature before acceptance pursuant to sections 81-176 and 81-1108.33; and
- (4) Sections 81-176 and 81-1108.33 shall govern the acquisition of real property and structures with the proceeds of a gift, bequest, or devise.

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

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

This section shall not apply to the University of Nebraska.

Sec. 50. The One Hundred Sixth Legislature acknowledges that Article III, section 22, of the Constitution of Nebraska provides that each Legislature shall make appropriations for the expenses of the government. Consistent with this provision, any appropriations enacted by prior Legislatures for fiscal years beginning after June 30, 2019, are null and void unless specifically reaffirmed by this Legislature.

Sec. 51. This act becomes operative on July 1, 2019.

Sec. 52. Since an emergency exists, this act takes effect when passed and approved according to law.