

AMENDMENTS TO LB 1116

(Amendments to Standing Committee amendments, AM2629)

Introduced by Erdman, 47.

1 1. Strike section 6 and insert the following sections:

2 Sec. 6. (1) Upon completion of the conditions specified
3 in subsection (2) of this section, the Director of Administrative
4 Services shall, on or before December 31, 2009, transfer by
5 warranty deed the site and tract of land in Lancaster County known
6 as the Nebraska State Fairgrounds, to the Board of Regents of the
7 University of Nebraska. Such transfer shall occur notwithstanding
8 sections 72-811 to 72-818 or any other provision of law.

9 (2) The transfer described in subsection (1) of this
10 section shall be contingent upon:

11 (a) Funds for the purpose of carrying out subsection
12 (4) of section 2-101 having been provided by or on behalf of the
13 University of Nebraska in a total amount of no less than twenty-one
14 million five hundred thousand dollars in cash or legally binding
15 commitments. Such funds may be provided over time, but they shall
16 in cumulative increments equal at least seven million five hundred
17 thousand dollars by October 1, 2008, fourteen million five hundred
18 thousand dollars by February 1, 2009, and twenty-one million five
19 hundred thousand dollars by July 1, 2009;

20 (b) The University of Nebraska providing a master plan
21 and business plan to carry out the master plan for the Innovation
22 Campus to the Department of Administrative Services and to the

1 Clerk of the Legislature on or before December 1, 2009, and
2 a commitment to provide on or before December 1 of each year
3 thereafter an annual update of the master plan and business plan to
4 the Clerk of the Legislature; and

5 (c) Funds for the purpose of carrying out subsection
6 (4) of section 2-101 having been provided by or on behalf of the
7 city of Grand Island in a total amount of no less than eight
8 million five hundred thousand dollars in cash or legally binding
9 commitments. Such funds may be provided over time, but they shall
10 in cumulative increments equal at least three million dollars by
11 October 1, 2008, six million dollars by February 1, 2009, and eight
12 million five hundred thousand dollars by July 1, 2009.

13 (3) The University of Nebraska and the city of
14 Grand Island shall provide certification to the Department of
15 Administrative Services on October 1, 2008, February 1, 2009, and
16 July 1, 2009, of all funds provided to carry out subsection (4) of
17 section 2-101. All amounts as certified in subdivisions (2)(a) and
18 (c) of this section shall be held and expended as determined by
19 agreement between the Hall County Livestock Improvement Association
20 and the Nebraska State Fair Board.

21 (4)(a) The Nebraska State Fair shall be relocated to
22 the city of Grand Island pursuant to subsection (4) of section
23 2-101 contingent upon completion of the conditions specified in
24 subsection (2) of this section.

25 (b) The Nebraska State Fair Board shall be responsible
26 for any remaining costs associated with site improvements for
27 relocating the Nebraska State Fair, not to exceed seven million

1 dollars.

2 (c) On or before December 31, 2009, the Nebraska
3 State Fair Board shall provide written release or other written
4 instrument acceptable to the State Building Administrator in
5 consultation with the President of the University of Nebraska
6 in connection with the transfer of the Nebraska State Fairgrounds
7 to the Board of Regents.

8 Sec. 7. Section 2-258, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 2-258 The money raised by the operational tax levy
11 authorized in section 2-257 shall be used for the purpose of paying
12 premiums and for permanent improvements for such fair, for the
13 purpose of purchasing the necessary fair supplies, advertising, and
14 the paying of necessary labor in connection therewith, and for
15 other necessary expenses for the operation of the fair. ~~In counties~~
16 ~~having a population of more than sixty thousand inhabitants but~~
17 ~~not more than three hundred fifty thousand inhabitants, and also~~
18 ~~containing a city of the primary class,~~ In the county in which the
19 Nebraska State Fair is located, the money so raised may be used
20 for permanent improvements on the state and county fairgrounds ~~or~~
21 ~~Nebraska State Fairgrounds,~~ or for leasing, contracting for, or in
22 any manner acquiring use of fairground facilities for such ~~fair.~~
23 fairs.

24 Sec. 8. Section 81-1108.33, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 81-1108.33 (1) It is the intent of the Legislature
27 that the state will not assume responsibility for the substandard

1 construction, repair, or maintenance of, or for the excessive
2 maintenance or repair costs for, real property, structures, or
3 improvements which will be made available by gift, bequest,
4 or devise to any state agency, board, or commission. Therefor,
5 prior to any construction, repair, or maintenance work on such
6 real property, structure, or improvement, the state building
7 division and the Task Force for Building Renewal shall review the
8 plans, specifications, other construction or repair documents, and
9 potential maintenance requirements as a requirement for acceptance
10 by the state of such real property, structure, or improvement.

11 (2) (a) Any gift of, bequest of, or devise of (i) real
12 property, (ii) a structure, or (iii) an improvement proposed to
13 be made available to any state agency, board, or commission shall
14 be reviewed by the state building division and the Task Force
15 for Building Renewal pursuant to sections 81-176, 81-1108.15,
16 and 81-1114. Such review shall include any potential matching of
17 state funds, any plans, specifications, and other construction
18 or repair documents reviewed pursuant to subsection (1) of
19 this section, and any potential maintenance requirements as a
20 condition of acceptance. Subsequent to such review, the state
21 building division and the task force shall submit a report to
22 the Governor, the Committee on Building Maintenance, and the
23 Legislative Fiscal Analyst including a summary of the review of the
24 plans, specifications, and other construction or repair documents
25 and potential maintenance requirements and outlining the terms and
26 conditions of the proposed gift, bequest, or devise along with its
27 recommendation.

1 (b) Any proposed gift of, bequest of, or devise of
2 (i) real property, (ii) a structure, or (iii) an improvement in
3 excess of ten thousand dollars shall be approved by the Governor
4 and the Legislature prior to acceptance. If the Legislature is
5 not in session, the Executive Board of the Legislative Council,
6 after recommendation by the Committee on Building Maintenance, may
7 approve such gift, bequest, or devise along with the Governor.

8 (c) No construction or other work related to the proposed
9 gift, bequest, or devise shall be initiated prior to receiving the
10 approval required by this section.

11 (3) For purposes of this section, gift of, bequest of,
12 or devise of (a) real property, (b) a structure, or (c) an
13 improvement shall include, but not be limited to, a donation of,
14 gift of, bequest of, devise of, or grant of (i) real property,
15 (ii) a structure, or (iii) an improvement from an individual, an
16 organization, a corporation, a foundation, or a similar entity
17 or from a nonfederal governmental agency. For purposes of this
18 section, gift, bequest, or devise shall not include a donation,
19 gift, bequest, devise, or grant of tangible or intangible personal
20 property.

21 (4) This section shall not apply to ~~(a)~~ the University
22 of Nebraska or any Nebraska state college, since these agencies
23 are subject to and participate in statewide facilities planning
24 developed by the Coordinating Commission for Postsecondary
25 Education pursuant to the Coordinating Commission for Postsecondary
26 Education Act. ~~or (b) improvements or structures on Nebraska State~~
27 Fairgrounds property reviewed and approved pursuant to section

1 ~~2-104.01.~~

2 Sec. 10. Sections 3 and 12 of this act become operative
3 on January 1, 2009. Sections 8, 13, and 14 of this act becomes
4 operative on December 31, 2009. The other sections of this act
5 become operative on their effective date.

6 Sec. 12. Original section 2-103, Revised Statutes
7 Cumulative Supplement, 2006, is repealed.

8 Sec. 13. Original section 81-1108.33, Revised Statutes
9 Cumulative Supplement, 2006, is repealed.

10 Sec. 14. The following sections are outright repealed:
11 Sections 2-104, 2-104.01, and 2-106, Revised Statutes Cumulative
12 Supplement, 2006.

13 2. On page 2, line 11, after "(4)" insert "(a)" and after
14 line 27 insert the following new subdivision:

15 "(b) The Nebraska State Fair Board, the Department of
16 Administrative Services, and the Board of Regents of the University
17 of Nebraska shall cooperate with each other and with other
18 appropriate entities to provide for and carry out the plan to
19 relocate the Nebraska State Fair and transfer the Nebraska State
20 Fairgrounds in Lancaster County to the Board of Regents, including
21 activities by the Board of Regents to obtain due diligence surveys,
22 reports, and site assessments at the Nebraska State Fairgrounds in
23 Lancaster County and by the Nebraska State Fair Board in connection
24 with providing marketable title to the same in a form acceptable to
25 the Board of Regents.".

26 3. On page 4, lines 6 and 7, strike the new matter; and
27 in line 7 strike "the", show as stricken and insert "The".

1 4. On page 4, lines 17 and 18 and 24; and on page 13,
2 line 19, strike "effective date of this act" and insert "operative
3 date of this section".

4 5. On page 13, line 22, after "Original" insert "section
5 2-258, Reissue Revised Statutes of Nebraska," and strike "
6 2-101.01, and 2-103," and insert "and 2-101.01,".

7 6. Renumber the remaining sections accordingly.