

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 377

Introduced by Speaker Flood, 19; at the request of the Governor.

Read first time January 13, 2011

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to define terms; to
2 appropriate funds for capital construction and property
3 acquisition as prescribed; to state intent; to require
4 program statements; to provide an operative date; and to
5 declare an 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
3 passed by the One Hundred Second Legislature, First or Second
4 Session, which appropriates funds, FY2010-11 means the period July 1,
5 2010, through June 30, 2011, FY2011-12 means the period July 1, 2011,
6 through June 30, 2012, FY2012-13 means the period July 1, 2012,
7 through June 30, 2013, FY2013-14 means the period July 1, 2013,
8 through June 30, 2014, and FY2014-15 means the period July 1, 2014,
9 through June 30, 2015.

10 Sec. 2. APPROPRIATION LANGUAGE.

11 There are hereby appropriated, for FY2011-12 and
12 FY2012-13, the sums set forth in this act to each agency for each
13 program from the respective funds for capital construction projects,
14 land acquisition, lease-purchase arrangements, and major equipment
15 acquisition, except as otherwise appropriated.

16 Sec. 3. REAPPROPRIATION OF BALANCE, FY2011-12 to
17 FY2012-13.

18 In addition to the appropriations set forth in this act,
19 there are hereby reappropriated all unexpended appropriation balances
20 existing on June 30, 2012, for FY2012-13 to the respective agencies,
21 programs, and funds listed in this act, except as otherwise provided
22 in this act.

23 Sec. 4. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

24 The definitions contained in the Nebraska Accounting
25 System Manual, and any amendments thereto, on file with the Clerk of

1 the Legislature are hereby adopted by the Legislature as the
2 definitions for this act.

3 Sec. 5. DRAWING AND PAYING WARRANTS.

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

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

13 The biennial appropriations contained in this act
14 covering FY2011-12 and FY2012-13, which have been designated for
15 planning, require from the agency a complete program statement
16 prepared in accordance with the Procedural Manual for Capital
17 Construction as approved by the state building division of the
18 Department of Administrative Services. Projects directly related to
19 program continuation such as fire and life safety, maintenance,
20 utility improvements, handicapped access, and master planning require
21 a statement of needs prepared in accordance with the manual. An
22 appropriation for drawings and construction may be recommended only
23 after submission of an acceptable program statement or statement of
24 needs on or before September 15 to the state building division, the
25 budget division of the Department of Administrative Services, and the

1 Legislative Fiscal Analyst.

2 Program statements that have been submitted prior to
3 FY2011-12 shall be updated if necessary and resubmitted during the
4 period July 1, 2011, to September 1, 2011. Program statements that
5 have been submitted prior to FY2012-13 shall be updated if necessary
6 and resubmitted during the period July 1, 2012, to September 1, 2012,
7 by agency priority. Such priority shall be subject to final
8 modification by the governing authority of each agency on or before
9 September 15, 2012.

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

20 Sec. 8. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
21 SERVICES

22 Program No. 902 - Bridges Program Relocation

	FY2011-12	FY2012-13	FUTURE
24 NEBRASKA CAPITAL	450,000	1,049,433	-0-
25 CONSTRUCTION FUND			

1 PROGRAM TOTAL 450,000 1,049,433 -0-

2 The Department of Health and Human Services is hereby
 3 authorized to design and construct secure housing for persons with
 4 developmental disabilities. The housing authorized in this section
 5 shall be used to relocate the Bridges program operated at the
 6 Hastings Regional Center.

7 Sec. 9. AGENCY NO. 33 - GAME AND PARKS COMMISSION

8 Program No. 900 - State Park System Facility Improvements

9		FY2011-12	FY2012-13	FUTURE
10	CASH FUND	335,000	325,000	-0-
11	PROGRAM TOTAL	335,000	325,000	-0-

12 The Game and Parks Commission is hereby authorized to
 13 maintain and improve basic facilities of the state park system. There
 14 is included in the appropriation to this program for FY2011-12
 15 \$75,000 cash funds and for FY2012-13 \$75,000 cash funds for this
 16 purpose.

17 The Game and Parks Commission is hereby authorized to
 18 develop new, maintain, and improve boating facilities. There is
 19 included in the appropriation to this program for FY2011-12 \$260,000
 20 cash funds and for FY2012-13 \$250,000 cash funds for this purpose.

21 Sec. 10. AGENCY NO. 33 - GAME AND PARKS COMMISSION

22 Program No. 901 - State Parks Facilities Deferred
 23 Maintenance

24		FY2011-12	FY2012-13	FUTURE
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1	CASH FUND	300,000	300,000	-0-
2	PROGRAM TOTAL	300,000	300,000	-0-

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

7 Sec. 11. AGENCY NO. 33 – GAME AND PARKS COMMISSION
 8 Program No. 924 - Wildlife Land Acquisition and
 9 Improvements

10		FY2011-12	FY2012-13	FUTURE
11	CASH FUND	300,000	300,000	-0-
12	PROGRAM TOTAL	300,000	300,000	-0-

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

16 Sec. 12. AGENCY NO. 33 – GAME AND PARKS COMMISSION
 17 Program No. 955 - Youth Outdoors Skills Camp Facility

18		FY2011-12	FY2012-13	FUTURE
19	CASH FUND	1,000,000	1,000,000	-0-
20	PROGRAM TOTAL	1,000,000	1,000,000	-0-

21 The Game and Parks Commission is hereby authorized to
 22 develop a youth skills camp facility to provide education and promote
 23 outdoor skills.

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

1	Program No. 960 - Land Acquisition for Parklands			
2		FY2011-12	FY2012-13	FUTURE
3	CASH FUND	100,000	100,0000	-0-
4	PROGRAM TOTAL	100,000	100,000	-0-

5 The Game and Parks Commission is hereby authorized to
 6 acquire property adjacent to state parks, recreational areas, and
 7 historical parks from willing sellers to add recreational
 8 opportunities and protect resources.

9 Sec. 14. AGENCY NO. 33 - GAME AND PARKS COMMISSION

10	Program No. 967 - Improvements to State Parks			
11		FY2011-12	FY2012-13	FUTURE
12	CASH FUND	241,500	575,400	-0-
13	PROGRAM TOTAL	241,500	575,400	-0-

14 The Game and Parks Commission is hereby authorized to
 15 make state parks improvements statewide with the appropriation to
 16 this program.

17 It is intended that the following projects be undertaken
 18 with funds appropriated to this program for FY2011-12:

19 Paint aquatic center equipment - Mahoney State Park -
 20 \$30,000

21 Cabin renovations - Mahoney State Park - \$150,000

22 Outdoor Education Facility - Niobrara State Park -
 23 \$50,000

24 Major state park contingency for cost overruns in Program

1 967 - Improvements to State Parks - \$11,500

2 It is intended that the following projects be undertaken
3 with the funds appropriated to this program for FY2012-13:

4 Cabin renovations - Mahoney State Park - \$150,000

5 Lodge carpet upgrade - Mahoney State Park - \$150,000

6 Renovate pavillion flooring - Platte River State Park -
7 \$68,000

8 Replace heating/air conditioning Comanche Hall - Fort
9 Robinson - \$180,000

10 Major state park contingency for cost overruns in Program
11 967 - Improvements to State Parks - \$27,400

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

13 Program No. 968 - State Historical Parks

14		FY2011-12	FY2012-13	FUTURE
15	CASH FUND	10,500	-0-	-0-
16	PROGRAM TOTAL	10,500	-0-	-0-

17 The Game and Parks Commission is hereby authorized to
18 update the fire alarm system at Buffalo Bill State Historical Park
19 and provide contingency funds for state historical parks.

20 Sec. 16. AGENCY NO. 33 - GAME AND PARKS COMMISSION

21 Program No. 969 - Improvements to State Recreation Areas

22		FY2011-12	FY2012-13	FUTURE
23	CASH FUND	703,500	357,000	-0-
24	PROGRAM TOTAL	703,500	357,000	-0-

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

4 It is intended that the following projects be undertaken
5 with funds appropriated to this program for FY2011-12:

6 New sewer lagoon and septics - Fort Kearny State
7 Recreation Area - \$150,000

8 Addition and upgrade Group Building - Fremont State
9 Recreation Area - \$100,000

10 Water lines repair and upgrade - Lewis and Clark State
11 Recreation Area - \$20,000

12 Replace concrete apron at marina - Lewis and Clark State
13 Recreation Area - \$25,000

14 Boat ramp repairs - Lake McConaughy/Lake Ogallala -
15 \$60,000

16 New cabins - Medicine Creek State Recreation Area -
17 \$215,000

18 Contingency funds - State Recreation Areas - \$28,500

19 Shower/latrine facility - Lake Wanahoo - \$75,000

20 Shop/maintenance facility - Lake Wanahoo - \$30,000

21 It is intended that the following projects be undertaken
22 with funds appropriated to this program for FY2012-13:

23 Electrical hook-ups - Summit State Recreation Area -
24 \$20,000

25 Expand electrical and upgrade old units - Lake Ogallala -

1 \$50,000

2 Provide electrical service to 57 units - Two Rivers State
3 Recreation Area - \$60,000

4 Shower/latrine facilities - Calamus Reservoir State
5 Recreation Area - \$150,000

6 Electrical hook-ups in Area 4 - Branched Oak State
7 Recreation Area - \$60,000

8 Contingency funds - State Recreation Areas - \$17,000

9 Sec. 17. AGENCY NO. 33 - GAME AND PARKS COMMISSION

10 Program No. 971 - Improvements to Special Use Areas
11 (Wildlife Management Areas)

	FY2011-12	FY2012-13	FUTURE
12 CASH FUND	325,000	325,000	-0-
14 PROGRAM TOTAL	325,000	325,000	-0-

15 The Game and Parks Commission is hereby authorized to
16 make improvements statewide to basic facilities at wildlife
17 management areas.

18 Sec. 18. AGENCY NO. 33 - GAME AND PARKS COMMISSION

19 Program No. 972 - Improvements to Administrative
20 Facilities

	FY2011-12	FY2012-13	FUTURE
22 CASH FUND	155,000	75,000	-0-
23 PROGRAM TOTAL	155,000	75,000	-0-

24 The Game and Parks Commission is hereby authorized to

1 make general improvements and repairs to administrative offices.

2 Sec. 19. AGENCY NO. 33 - GAME AND PARKS COMMISSION

3 Program No. 973 - Improvements to Fish Production
 4 Facilities

	FY2011-12	FY2012-13	FUTURE
6 CASH FUND	75,000	75,000	-0-
7 PROGRAM TOTAL	75,000	75,000	-0-

8 The Game and Parks Commission is hereby authorized to
 9 make fisheries improvements statewide, such as improvements to
 10 hatcheries and the acquisition and development of fishing access
 11 facilities, with the appropriation to this program.

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

13 Program No. 975 - Emergency Repairs to State Park System
 14 Areas

	FY2011-12	FY2012-13	FUTURE
16 CASH FUND	75,000	75,000	-0-
17 PROGRAM TOTAL	75,000	75,000	-0-

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

21 Sec. 21. AGENCY NO. 33 - GAME AND PARKS COMMISSION

22 Program No. 976 - Emergency Repairs to Fish and Wildlife
 23 Facilities

	FY2011-12	FY2012-13	FUTURE
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1	CASH FUND	50,000	50,000	-0-
2	PROGRAM TOTAL	50,000	50,000	-0-

3 The Game and Parks Commission is hereby authorized to
 4 make emergency repairs statewide to hatcheries, wildlife management
 5 areas, refuges, and other facilities related to fish and wildlife
 6 management with the appropriation to this program.

7 Sec. 22. AGENCY NO. 33 – GAME AND PARKS COMMISSION
 8 Program No. 979 - Cowboy Trail - Emergency and Deferred
 9 Maintenance

10		FY2011-12	FY2012-13	FUTURE
11	CASH FUND	175,000	-0-	-0-
12	PROGRAM TOTAL	175,000	-0-	-0-

13 The Game and Parks Commission is hereby authorized to
 14 make repairs to the Cowboy Trail.

15 Sec. 23. AGENCY NO. 33 – GAME AND PARKS COMMISSION
 16 Program No. 981 - Aquatic Habitat Enhancement and
 17 Restoration

18		FY2011-12	FY2012-13	FUTURE
19	CASH FUND	3,500,000	2,500,000	-0-
20	PROGRAM TOTAL	3,500,000	2,500,000	-0-

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

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

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

8 Sec. 25. AGENCY NO. 46 - DEPARTMENT OF CORRECTIONAL
 9 SERVICES

10 Program No. 913 - Security Systems Upgrade

	FY2011-12	FY2012-13	FUTURE
11			
12 GENERAL FUND	500,000	500,000	500,000
13 PROGRAM TOTAL	500,000	500,000	500,000

14 The Department of Correctional Services is hereby
 15 authorized to upgrade security system components at various
 16 Department of Correctional Services Facilities statewide.

17 It is intended that the following projects be undertaken
 18 with funds appropriated to this program:

19 Replace Perimeter Security Lights on the Old Campus -
 20 Nebraska Correctional Center for Women

21 Replace Perimeter Security Fencing on Old Campus -
 22 Nebraska Correctional Center for Women

23 Replace Perimeter Detection System - Lincoln Correctional
 24 Center/Diagnostic and Evaluation Center

25 Install Rooftop Security Fence Above Front Entrance -

1 Lincoln Correctional Center
 2 Install Rooftop Security Fence Above Entrance -
 3 Diagnostic and Evaluation Center
 4 Replace Razor Ribbon on Exterior Security Fence - Omaha
 5 Correctional Center
 6 Install Exterior Security Lights - Community Corrections
 7 Center at Omaha
 8 Replace Exterior Security Lights - Nebraska State
 9 Penitentiary
 10 Control Center Modifications in Buildings A and C for
 11 Department of Correctional Services Inmate Population - Work Ethic
 12 Camp
 13 Closed Circuit Surveillance Camera Improvements - Various
 14 Facilities

15 Sec. 26. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 16 NEBRASKA STATE COLLEGES

17 Program No. 919 - State College Facilities Program

	FY2011-12	FY2012-13	FUTURE
18 GENERAL FUND	1,125,000	1,125,000	7,875,000
19 REVOLVING FUND est.	1,200,000	1,200,000	8,400,000
20 PROGRAM TOTAL	2,325,000	2,325,000	16,275,000

22 The Legislature hereby acknowledges and reaffirms the
 23 directive made by Laws 2006, LB 605, sections 5, 6, and 7, which
 24 authorizes the Board of Trustees of the Nebraska State Colleges to
 25 make expenditures from the State College Facilities Program

1 exclusively for deferred maintenance, repair, and renovation projects
 2 outlined in section 6 of LB 605.

3 Sec. 27. AGENCY NO. 50 - BOARD OF TRUSTEES OF THE
 4 NEBRASKA STATE COLLEGES

5 Program No. 920 - Board Facilities Fee Fund Projects

6		FY2011-12	FY2012-13	FUTURE
7	REVOLVING FUND est.	915,000	915,000	8,235,000
8	PROGRAM TOTAL	915,000	915,000	8,235,000

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

15 Sec. 28. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA
 16 Program No. 920 - University of Nebraska Facilities
 17 Program

18		FY2011-12	FY2012-13	FUTURE
19	GENERAL FUND	11,000,000	11,000,000	77,000,000
20	CASH FUND est.	11,000,000	11,000,000	72,632,546
21	PROGRAM TOTAL	22,000,000	22,000,000	149,632,546

22 The Legislature hereby acknowledges and reaffirms the
 23 directive made by Laws 2006, LB 605, sections 2, 3, and 4, which
 24 authorizes the Board of Regents to make expenditures from

1 appropriated funds for the University of Nebraska Facilities Program
 2 exclusively for deferred maintenance, repair, renovation, facility
 3 renovation, and facility replacement projects as outlined in section
 4 3 of LB 605.

5 Sec. 29. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

6 Program No. 921 - Nebraska Innovation Campus, University
 7 of Nebraska-Lincoln

	FY2011-12	FY2012-13	FUTURE
9 NEBRASKA CAPITAL	16,862,500	8,137,500	-0-
10 CONSTRUCTION FUND			
11 PROGRAM TOTAL	16,862,500	8,137,500	-0-

12 The Board of Regents of the University of Nebraska is
 13 hereby authorized to design and renovate the 4-H Building on the
 14 University of Nebraska-Lincoln's Innovation Campus, subject to the
 15 receipt of any required project approval from the Coordinating
 16 Commission for Postsecondary Education as found in subsection (10) of
 17 section 85-1414. The total project cost to be supported from state
 18 funds is \$10,000,000. Nonstate tax funds may be used to supplement
 19 the project. The total project cost is estimated at \$20,000,000.

20 The Board of Regents of the University of Nebraska is
 21 hereby authorized to design and build the Food, Fuel, and Water
 22 Research Building on the University of Nebraska-Lincoln's Innovation
 23 Campus, subject to the receipt of any required project approval from
 24 the Coordinating Commission for Postsecondary Education as found in
 25 subsection (10) of section 85-1414. The total project cost to be

1 supported from state funds is \$15,000,000. Nonstate tax funds may be
 2 used to supplement the project. The total project cost is estimated
 3 at \$40,000,000.

4 Sec. 30. AGENCY NO. 51 - UNIVERSITY OF NEBRASKA

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

	FY2011-12	FY2012-13	FUTURE
8 GENERAL FUND	-0-	800,000	10,386,135
9 NEBRASKA CAPITAL	800,000	-0-	-0-
10 CONSTRUCTION FUND			
11 PROGRAM TOTAL	800,000	800,000	10,386,135

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

17 The Board of Regents may enter into long-term financing
 18 contracts with any person, firm, or corporation for the Education
 19 Center project. The payments of the costs of the project may occur
 20 over a contract period not to extend beyond June 30, 2025. The Board
 21 of Regents shall not pledge the credit of the State of Nebraska for
 22 the payment of any sum owing on account of such contracts, except
 23 that there may be pledged for payment of any such contracts any
 24 appropriations made by the Legislature for such purpose. No contracts

1 shall be entered into pursuant to this section without prior approval
 2 by resolution of the Board of Regents. The Board of Regents may
 3 schedule contractual payments on a monthly, quarterly, or semiannual
 4 basis consistent with the state fiscal year. On or before August 31,
 5 2025, any funds appropriated from the Nebraska Capital Construction
 6 Fund and the General Fund for the project held in the state treasury
 7 and held by any trustee which are not necessary to meet the terms of
 8 any long-term financing agreements entered into pursuant to this
 9 section shall be transferred to the General Fund.

10 Sec. 31. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 11 SERVICES

12 Program No. 935 - Nebraska Public Safety Communication
 13 System Towers and Network Equipment Financing

	FY2011-12	FY2012-13	FUTURE
14 GENERAL FUND	1,027,233	1,027,233	-0-
15 PROGRAM TOTAL	1,027,233	1,027,233	-0-

16 The Legislature hereby acknowledges and reaffirms the
 17 directive made by Laws 2007, LB 320, section 46, which authorized the
 18 Chief Information Officer to enter into a master lease financing
 19 agreement through the Department of Administrative Services for costs
 20 of radio towers and network equipment associated with implementing
 21 the Nebraska Public Safety Communication System. Total project costs
 22 may change as user partners are added to the system, but the State of
 23 Nebraska portion of the System Towers and Network Equipment Project
 24 cost, including financing, shall not exceed \$10,680,754.
 25

1 There is included in the appropriation to this program
 2 for FY2011-12 \$1,027,233 from the General Fund for costs of radio
 3 towers and network equipment and to initiate and continue repayment
 4 of project financing.

5 There is included in the appropriation to this program
 6 for FY2012-13 \$1,027,233 from the General Fund for costs of radio
 7 towers and network equipment and to initiate and continue repayment
 8 of project financing.

9 Sec. 32. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
 10 SERVICES

11 Program No. 940 - Task Force for Building Renewal

	FY2011-12	FY2012-13	FUTURE
12 CASH FUND	21,273,930	21,273,930	63,098,142
13 PROGRAM TOTAL	21,273,930	21,273,930	63,098,142

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

1 The appropriation to this program is for the purpose of
2 carrying out the provisions of the Deferred Building Renewal Act
3 which includes deferred repair, fire and life safety projects, and
4 compliance with the federal Americans with Disabilities Act (ADA) of
5 1990. Funds may also be spent on projects related to energy
6 conservation. There is hereby appropriated any available federal
7 funds, plus investment income thereon, for this program for FY2011-12
8 and FY2012-13. There is included in the appropriation to this program
9 for FY2011-12 an amount not to exceed \$200,000 cash funds and for
10 FY2012-13 an amount not to exceed \$200,000 cash funds for building
11 maintenance and renewal training, roof scans and other testing
12 procedures, and consulting work.

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

18 None of the funds appropriated to this program shall be
19 used for operating budget compliance with the federal Americans with
20 Disabilities Act of 1990. Expenditures for deferred repair, fire and
21 life safety projects, and compliance with the federal Americans with
22 Disabilities Act of 1990 may be made through the same program on the
23 Allotment Status Report in the Nebraska Information System, except
24 that expenditures for deferred repair, fire and life safety projects,
25 and compliance with the federal Americans with Disabilities Act of

1 1990 should each be kept separate by subprogram on the Budget Status
2 Report in the Nebraska Information System or through the use of the
3 Grant Project Status Report or some other accounting mechanism.

4 Sec. 33. There is hereby appropriated, unless otherwise
5 specified, for FY2011-12 and for FY2012-13 from undisbursed balances
6 existing on June 30, 2011, and on June 30, 2012, respectively, to
7 each agency for each program from the respective funds for capital
8 construction as follows:

9 (1) Agency No. 25 - Department of Health and Human
10 Services

11 Program Nos. 902, 906, 923, 926, and 931.

12 (2) Agency No. 27 - Department of Roads

13 Program No. 901, except that the unobligated biennium
14 appropriation balance shall lapse once all projects funded in that
15 biennium are completed, postponed to a future biennium, or
16 indefinitely postponed.

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

18 Program No. 937 - Alliance State Veterans' Cemetery.

19 (4) Agency No. 31 - Military Department

20 Program Nos. 905, 906, 910, and 925.

21 (5) Agency No. 33 - Game and Parks Commission

22 Program Nos. 900, 901, 902, 919, 924, 955, 960, 966, 967,
23 968, 969, 971, 972, 973, 975, 976, 977, 979, and 981.

24 (6) Agency No. 46 - Department of Correctional Services

25 Program Nos. 913, 916, and 920.

1 (7) Agency No. 47 - Nebraska Educational
2 Telecommunications Commission

3 Program Nos. 922, 925, and 926.

4 (8) Agency No. 50 - Board of Trustees of the Nebraska
5 State Colleges

6 Program Nos. 901, 919, 920, 921, 941, 942, 951, 952, 954,
7 and 993, and any additional construction programs administratively
8 created relating to the Board of Trustees of the Nebraska State
9 Colleges and its campuses which are funded through cash funds,
10 federal funds, revolving funds, or private gifts or donations.

11 (9) Agency No. 51 - University of Nebraska

12 Program Nos. 901, 902, 903, 905, 907, 908, 909, 912, 915,
13 917, 918, 920, 921, 922, 925, 927, 928, 930, 934, 937, 942, 943, 944,
14 946, 947, 948, 949, 951, 952, 953, 954, 955, 958, 959, 960, 962, 963,
15 964, 965, 966, 967, 968, 969, 970, 973, 974, 975, 976, 978, 980, 982,
16 983, 985, 988, 989, 990, 991, 992, 993, 994, 995, and 997, and any
17 additional construction programs administratively created relating to
18 the University of Nebraska-Lincoln, the University of Nebraska at
19 Omaha, the University of Nebraska Medical Center, the University of
20 Nebraska at Kearney, the Nebraska College of Technical Agriculture at
21 Curtis, and the University of Nebraska Central Administration which
22 are funded through cash funds, federal funds, revolving funds, or
23 private gifts or donations.

24 (10) Agency No. 65 - Department of Administrative
25 Services

1 Program Nos. 901, 924, 933, 935, 939, 940, 980, 981, and
2 982

3 Appropriations to program numbers pertaining to funding
4 for the Deferred Building Renewal Act are hereby reappropriated.

5 Sec. 34. FEDERAL FUNDS

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

12 Sec. 35. GIFTS AND BEQUESTS

13 Any gifts or bequests made available to the State of
14 Nebraska for any purpose or purposes, together with the income
15 thereof, shall be allocated to the expending agency designated by the
16 donor or, if none is designated by such donor, by the Governor. No
17 matching of state funds shall be required as a condition to accept
18 any gift or bequest. All gifts or bequests of personal property in
19 excess of \$10,000 shall be approved by the Governor before
20 acceptance, and all gifts or devises of real property in excess of
21 \$10,000 to be used for state purposes shall be approved by the
22 Governor and the Legislature before acceptance.

23 Expenditures from gifts or bequests may be expended
24 through any cash fund accounts, in which case the actual amount of
25 the gift or bequest is hereby appropriated to the expending agency

1 for the purpose or purposes designated by the donor and in addition
2 to the amounts appropriated in this act.

3 This section shall not apply to the University of
4 Nebraska.

5 Sec. 36. The One Hundred Second Legislature acknowledges
6 that Article III, section 22, of the Constitution of Nebraska
7 provides that each Legislature shall make appropriations for the
8 expenses of the government. Consistent with this provision, any
9 appropriations enacted by prior Legislatures for fiscal years
10 beginning after June 30, 2011, are null and void unless specifically
11 reaffirmed by this Legislature.

12 Sec. 37. This act becomes operative on July 1, 2011.

13 Sec. 38. Since an emergency exists, this act takes effect
14 when passed and approved according to law.