

## LEGISLATIVE BILL 207

Approved by the Governor April 8, 2009

Introduced by Avery, 28.

FOR AN ACT relating to the Department of Administrative Services; to amend sections 72-2101, 72-2105, and 81-1108.17, Reissue Revised Statutes of Nebraska; to change provisions relating to the annual inspection of the Governor's residence; to provide for the leasing of state property to private entities as prescribed; to eliminate obsolete language relating to housing for the Nebraska Library Commission; to repeal the original sections; and to outright repeal section 81-1108.40, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 72-2101, Reissue Revised Statutes of Nebraska, is amended to read:

72-2101 The Governor's Residence Advisory Commission is created. The commission shall conduct an annual inspection of the Governor's residence, ~~in June of each year.~~ A report on the inspection shall be submitted to the Governor within thirty days after the day of the inspection. The report shall include recommendations for major maintenance or repair projects, if needed. Implementation and priority of an approved major maintenance or repair project shall be determined by the Governor in cooperation with the Director of Administrative Services. Additionally, no changes, additions, deletions, or other alterations to the residence, including its exterior, interior, decorative objects, contents, or grounds shall be made without the prior approval of the commission, except for the Governor's private living quarters located on the second floor of the residence.

Sec. 2. Section 72-2105, Reissue Revised Statutes of Nebraska, is amended to read:

72-2105 The Governor's Residence Advisory Commission shall meet at the direction of the chairperson of the commission. At least one meeting shall be held after the annual June inspection. A simple majority of the commission shall constitute a quorum for the transaction of business.

Sec. 3. Section 81-1108.17, Reissue Revised Statutes of Nebraska, is amended to read:

81-1108.17 (1) The Department of Administrative Services shall be the custodian of the state laboratory and laboratory grounds, the Governor's Mansion and grounds, and all other buildings and lands owned or leased by the State of Nebraska except as exempted under subsections (5) and (6) of section 81-1108.15 or as provided in the Nebraska State Capitol Preservation and Restoration Act.

(2) To aid in the performance of his or her duties, the Director of Administrative Services shall appoint an administrator. The administrator, under the direction of the director, shall have complete control and all powers necessary to properly maintain the state laboratory and laboratory grounds, the Governor's Mansion and grounds, and all other buildings and lands owned or leased by the State of Nebraska except as exempted under subsections (5) and (6) of section 81-1108.15 or as provided in the Nebraska State Capitol Preservation and Restoration Act.

(3) Except as provided in the act, the administrator, under the direction of the director, is authorized to (a) lease space or provide facilities for the parking of state officers' and employees' vehicles as well as state-owned vehicles, (b) lease, rent, or permit for use as apartments, dwellings, offices, and parking areas any or all of the property acquired for parking or for future building needs, and (c) lease state property to the federal government or political subdivisions of the state using the system of charges in subsection (4) of this section, and (d) lease state property to a private entity to provide services necessary for state operations or for the convenience of state officers and employees when the space is not needed for public use. All leases shall contain the provision that upon notice that such property is needed for public use, the use or occupancy of the property shall cease. All money received as rent from any property acquired shall be remitted to the State Treasurer and credited to the State Building Revolving Fund, except that receipts from parking charges for employee, public, and state vehicle parking shall be credited to the Capitol Buildings Parking Revolving Fund, which fund is hereby created, for the purposes of providing and maintaining parking for state employees and visitors.

(4) The system of charges for state buildings and facilities shall include an amount sufficient to (a) accurately reflect operating costs,

including routine maintenance and repair costs, and (b) fund building renewal projects under the Deferred Building Renewal Act and renovation, remodeling, and repair projects beyond the scope of the act. The proceeds received under subdivision (a) of this subsection shall be remitted to the State Treasurer for credit to the State Building Revolving Fund. The proceeds received under subdivision (b) of this subsection shall be remitted to the State Treasurer for credit to the State Building Renewal Assessment Fund. The administrator shall develop a system of equitable billings and charges for parking facilities under his or her control and used by state employees and state vehicles. The system of charges shall include an amount sufficient to cover the operating, maintenance, and repair costs associated with the parking facilities. The administrator, under policies and procedures established by the Director of Administrative Services, may expend funds from time to time credited to the Capitol Buildings Parking Revolving Fund for the purposes of obtaining, operating, and maintaining parking facilities for employees and visitors. All money derived from any source other than that to be credited to the State Building Revolving Fund, the Capitol Buildings Parking Revolving Fund, the Department of Administrative Services Cash Fund, the State Building Renewal Assessment Fund, or other appropriate revolving fund shall be remitted to the State Treasurer and credited to the General Fund.

(5) The administrator shall see that all parts and apartments of the buildings leased are properly ventilated and kept clean and in order.

(6) The administrator shall at all times have charge of and supervision over the police, janitors, and other employees in and about the state laboratory and laboratory grounds, the Governor's Mansion and grounds, and all other buildings and lands owned or leased by the State of Nebraska except as exempted under subsections (5) and (6) of section 81-1108.15 or as provided in the Nebraska State Capitol Preservation and Restoration Act. The administrator shall institute, in the name of the state and with the advice of the Attorney General, civil and criminal proceedings against any person for injury or threatened injury to any public property in the state laboratory and laboratory grounds, the Governor's Mansion and grounds, and all other buildings and lands owned or leased by the State of Nebraska under his or her control, or for committing or threatening to commit a nuisance in or on the buildings or lands.

(7) The administrator shall keep in his or her office a complete record containing all plans and surveys of the state laboratory and grounds, the Governor's Mansion and grounds, and all other buildings and lands owned or leased by the State of Nebraska and of underground construction under such buildings and lands. This subsection shall not apply to the State Capitol and capitol grounds.

Sec. 4. Original sections 72-2101, 72-2105, and 81-1108.17, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 5. The following section is outright repealed: Section 81-1108.40, Reissue Revised Statutes of Nebraska.