

LEGISLATIVE BILL 873

Approved by the Governor May 18, 1999

Introduced by Speaker Kristensen, 37; at the request of the Governor

AN ACT relating to government; to amend sections 72-816 and 81-1108.05, Revised Statutes Supplement, 1998; to change provisions relating to state funds; to authorize a central warehouse system as prescribed; to create a fund; to provide powers and duties; to provide termination dates; to repeal the original sections; and to declare an emergency.

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

Section 1. The State Treasurer shall transfer \$1,713,587 from the General Fund to the State Building Revolving Fund within five days after the effective date of this act.

Sec. 2. Upon written request from the Director of Administrative Services, the State Treasurer is authorized to make transfers from the Vacant Building and Excess Land Fund to the State Building Revolving Fund in cumulative amounts not to exceed \$750,000, on or before June 30, 2001.

Sec. 3. The State Treasurer shall transfer \$1,713,587 from the Vacant Building and Excess Land Fund to the General Fund on or after June 15, 2001, for FY2000-01.

Sec. 4. Upon written request from the Director of Administrative Services, the State Treasurer is authorized to make transfers from the Vacant Building and Excess Land Fund to the Building Renewal Allocation Fund in cumulative amounts not to exceed \$1,083,827, on or before June 30, 2001.

Sec. 5. Upon written request from the Director of Administrative Services, the State Treasurer is authorized to make transfers from the Vacant Building and Excess Land Fund to the State Building Revolving Fund in cumulative amounts not to exceed \$3,661,488, on or before June 30, 2003.

Sec. 6. Section 72-816, Revised Statutes Supplement, 1998, is amended to read:

72-816. (1) The Vacant Building and Excess Land Fund is created. The Department of Administrative Services shall administer the fund which shall be used to pay for the maintenance of vacant state buildings and excess state land and for expenses related to the disposal of state buildings and land referred to the department by the committee pursuant to sections 72-811 to 72-818, except through June 30, 2003, funds shall only be used as provided in subsection (5) of this section. The fund shall consist of appropriations made to the fund and proceeds credited to the fund pursuant to section 72-815.

(2) Funds may be transferred from the Vacant Building and Excess Land Fund to the General Fund at the direction of the Legislature. Any money in the Vacant Building and Excess Land Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(3) If there are insufficient funds in the fund to enable the department to fully implement the orders of the committee issued pursuant to sections 72-811 to 72-818, the department shall implement them in the order which most efficiently meets the purposes of such sections.

(4) Funds appropriated to the Task Force for Building Renewal shall not be used to carry out any of the purposes of such sections ~~(1)~~ (a) unless the building would otherwise qualify for the use of such funds pursuant to the Deferred Building Renewal Act and ~~(2)~~ (b) except for any expenses incurred by the administrator of the Task Force for Building Renewal in fulfilling his or her duties under such sections.

(5) Through June 30, 2003, the Vacant Building and Excess Land Fund, subject to an available fund balance, shall only be used in the following priority order:

(a) First, to address any immediate life safety concerns of vacant state buildings and excess state land, including the costs of daily maintenance, but excluding any renovation costs;

(b) Second, to fully complete the maximum cumulative transfers as authorized by section 2 of this act;

(c) Third, to complete the transfer amount as authorized by section 3 of this act;

(d) Fourth, to fully complete the maximum cumulative transfers as authorized by section 4 of this act;

(e) Fifth, to fully complete the maximum cumulative transfers as authorized by section 5 of this act; and

(f) Sixth, after completing the purposes of subdivisions (b) through (e) of this subsection, utilize the fund consistent with existing provisions of law.

This subsection shall terminate on July 1, 2003.

Sec. 7. Section 81-1108.05, Revised Statutes Supplement, 1998, is amended to read:

81-1108.05. The Director of Administrative Services may ~~(1)~~ initiate interfund borrowing among the Building Renewal Allocation Fund, the Information Technology Infrastructure Fund, the Communications Cash Fund, the Vacant Building and Excess Land Fund, and the various revolving funds within the Department of Administrative Services, except that at no time shall aggregate advances from all lending funds to any given borrowing fund exceed one million five hundred thousand dollars. Any outstanding interfund borrowing initiated pursuant to this section shall be repaid by the Department of Administrative Services on or before June 30, 2003. Any fund transfers made on or after April 19, 1998, but before the effective date of this act pursuant to this section shall be reversed by the Department of Administrative Services.

This section shall terminate on July 1, 2003. 7 and (2) through June 30, 1999, initiate transfers from the Vacant Building and Excess Land Fund to the State Building Revolving Fund and the Building Renewal Allocation Fund, except that the cumulative transfers to the State Building Revolving Fund shall not exceed seven hundred fifty thousand dollars and the cumulative transfers to the Building Renewal Allocation Fund shall not exceed seven hundred fifty thousand dollars.

Sec. 8. The Department of Correctional Services is authorized to develop a central warehouse system for the ordering, purchasing, delivering, and billing for facilities and programs within the Department of Correctional Services of items stocked in the central warehouse system. The central warehouse system shall operate separately and distinctly from other department revolving-funded operations.

Sec. 9. There is hereby created the Department of Correctional Services Warehouse Revolving Fund. This fund shall only be used for the purchase of items to be resold at cost to facilities and programs within the Department of Correctional Services. Facilities and programs within the department receiving items from the central warehouse system shall be billed for such goods at the time of delivery. All receipts from the items sold through the central warehouse system shall be deposited in the fund. The fund shall be administered by the Director of Correctional Services. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 10. The budget division of the Department of Administrative Services shall administratively create a separate budget program classification within the Department of Correctional Services to properly account for revenue and disbursements of items stocked and sold by the central warehouse system. The Department of Correctional Services shall track the operating expenses of the central warehouse system within a separate budget subprogram within the central office budget.

Sec. 11. Upon written request from the Director of Correctional Services, the State Treasurer is authorized to make transfers from the Department of Correctional Services Facility Cash Fund to the Department of Correctional Services Warehouse Revolving Fund in cumulative amounts not to exceed \$500,000, on or before June 30, 2001, in order to provide one-time seed money for the program.

Sec. 12. Original sections 72-816 and 81-1108.05, Revised Statutes Supplement, 1998, are repealed.

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