

LEGISLATIVE BILL 945

Approved by the Governor April 16, 1974

Introduced by Cavanaugh, 9

AN ACT to provide for the erection of a state office building at Omaha, Nebraska, as prescribed; to provide for leases and subleases as prescribed; to provide for funding and make appropriations; to amend section 77-2602, Revised Statutes Supplement, 1973; to repeal the original section; and to declare an emergency.

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

Section 1. The State of Nebraska is hereby empowered to enter into a lease or sublease, as lessor or sublessor, with any public body corporate or any political subdivision of the State of Nebraska relating to any building or other facility which is or has been the subject of an agreement pursuant to the provisions of section 72-1405.

Sec. 2. Any agreement entered into between the state and a municipality pursuant to the provisions of sections 72-1401 to 72-1408 may provide for the following:

(1) The subleasing by the State of Nebraska to any public body corporate or political subdivision of the State of Nebraska of a portion of the space in the building or other facility with respect to which the agreement has been made; and

(2) The leasing by such municipality to any public body corporate or political subdivision of the State of Nebraska of a portion of the space in the building or other facility with respect to which the agreement has been made.

Sec. 3. Any municipality is hereby empowered to enter into a lease, as lessor, with any public body corporate or political subdivision of the State of Nebraska relating to any building or other facility which is the subject of an agreement pursuant to the provisions of section 72-1405.

Sec. 4. Any public body corporate or political subdivision of the State of Nebraska is hereby empowered to enter into a lease or sublease, as lessee or sublessee, with the State of Nebraska or any municipality

relating to any building or other facility which is or has been the subject of an agreement pursuant to the provisions of section 72-1405.

Sec. 5. The State Building Commission shall cause plans, working drawings, and specifications to be prepared for building a state office building ready for tenant improvements and for providing related parking facilities for motor vehicles and other services incidental thereto, to be located within the city of Omaha, Nebraska, at such location as shall be selected by the State Building Commission. The commission may employ a director, architects, and draftsmen for the preparation of such plans, working drawings, and specifications, and may contract in the name of the State of Nebraska for the securing of the services of such persons. The commission shall adopt plans to provide sufficient office space for the state beyond 1984. Such plans for space shall be made on the basis of the growth history and the projected needs of each agency which is designated to occupy such building. Subsequently the commission shall provide for subdivision improvements of the net usable space into offices for such state agencies as shall be designated as occupants of such building by the commission and the legislature. The source of funds to defray the cost of such building and facilities shall be the State Office Building at Omaha Fund which is hereby created, and disbursements shall be made from such fund for such building and facilities as the legislature shall from time to time provide. The cost of construction, including site acquisition and preparation, but excluding interest on indebtedness, of space and other facilities to be occupied and used by the State of Nebraska in such building and facilities, shall not exceed eight million dollars. Plus the amount of investment income received by the State Office Building at Omaha Fund and by any of the bond or reserve funds established in connection with the city of Omaha bond issue used to finance such building and facilities.

Sec. 6. The State Building Commission is authorized to enter into an agreement with the city of Omaha, Nebraska, pursuant to the provisions of sections 72-1401 to 72-1408, providing for the supplying by the city of Omaha to the State of Nebraska of a state office building, parking facilities and other services incidental thereto as provided in section 5 of this act.

Sec. 7. Any money in the State Office Building at Omaha Fund available for investment shall be invested by the state investment officer pursuant to the provisions of the Nebraska State Funds Investment Act.

Sec. 8. The proceeds of the State Office Building at Omaha fund created by the provisions of section 5 of this act shall be expended by the State Building Commission, as and when appropriated by the legislature, for the costs and payments to be made by the State of Nebraska to the city of Omaha for the use by the state of such building or facility or portion thereof, as described in section 5 of this act and equipping such building or facility.

Sec. 9. That section 77-2602, Revised Statutes Supplement, 1973, be amended to read as follows:

77-2602. Every person, engaged in distributing or selling cigarettes at wholesale in this state, shall pay to the Tax Commissioner of this state a special privilege tax. This shall be in addition to all other taxes. It shall be paid prior to or at the time of the sale, gift, or delivery to the retail dealer in the several amounts as follows: On all cigarettes thirteen cents per package containing not more than twenty cigarettes, and on packages containing more than twenty cigarettes a tax of thirteen cents for the first twenty cigarettes and thirteen cents for each twenty cigarettes or fractional part thereof in excess of twenty cigarettes. The proceeds of eight cents of such tax shall be placed in the General Fund and the proceeds of the remaining five cents of such tax shall be distributed in the following order:

First, in each fiscal year beginning with the fiscal year commencing July 1, 1972, there shall be first transferred to the University of Nebraska at Lincoln Field House Fund, which is hereby created, the sum of two million four hundred thousand dollars, and the money in such fund shall be used to make the annual payments on the lease of the field house building constructed pursuant to the provisions of section 85-1,100. All money in such fund is hereby appropriated for the fiscal year ending June 30, 1973, for the purposes stated in this subdivision;

Second, for the fiscal year beginning July 1, 1972, there shall be placed in a special fund to be known as the State Board of Agriculture Improvement Fund the sum of one million two hundred thousand dollars and for the fiscal year beginning July 1, 1973, there shall be placed in such fund the additional sum of one million two hundred thousand dollars, which fund is hereby created and which shall be used by the State Board of Agriculture to pay its costs resulting from the construction of the University of Nebraska at Lincoln Field House and the use of related parking facilities for such field house. All

money in the State Board of Agriculture Improvement Fund is hereby appropriated for the fiscal year ending June 30, 1973, for the purpose stated in this subdivision:

Third, there shall be placed in the State Office Building Fund the sum of one million two hundred thousand dollars each year for fiscal years 1974-75, 1975-76, 1976-77, and 1977-78 and three million six hundred thousand dollars for each fiscal year beginning with 1978-79 through 1983-84. Such amounts are hereby appropriated and the unexpended balances existing in such fund at the end of each fiscal year through June 30, 1984, are hereby reappropriated; and

~~Fourth, there shall be placed in the State Office Building at Omaha Fund the sum of nine hundred sixty thousand dollars each year for fiscal years 1975-76 through 1983-84 and two million two hundred forty thousand dollars for fiscal year 1984-85. Such amounts are hereby appropriated and the unexpended balances existing in such fund at the end of each fiscal year through June 30, 1985, are hereby reappropriated; and~~

~~Fourth Fifth~~, the balance of such proceeds shall be placed in a special fund to be known as the State of Nebraska Capital Construction Fund and disbursements from such fund shall be as the Legislature shall from time to time provide.

Sec. 10. That original section 77-2602, Revised Statutes Supplement, 1973, is repealed.

Sec. 11. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.