

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 633

FINAL READING

Introduced by Mello, 5; Howard, 9; Nordquist, 7; Cook, 13.

Read first time January 21, 2009

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to community development; to create the
2 Neighborhood Development Act; to create a fund; to
3 provide powers and duties; and to provide a termination
4 date.

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

1 Section 1. This act shall be known and may be cited as
2 the Neighborhood Development Act.

3 Sec. 2. The Legislature finds that there is a need to:

4 (1) Stimulate local community development efforts
5 statewide;

6 (2) Build an environment to engage in more effective
7 community development; and

8 (3) Assist community improvement groups which have
9 positive impacts upon the vitality, cohesiveness, and continued
10 viability of both urban and rural communities throughout the state.

11 Sec. 3. The purposes of the Neighborhood Development Act
12 are to:

13 (1) Strengthen neighborhoods and small communities by
14 enhancing their ability to develop community development plans;

15 (2) Coordinate the use of existing programs and funds
16 more efficiently and effectively in support of new programs and
17 initiatives; and

18 (3) Revitalize declining neighborhoods and small
19 communities, maintain the integrity of stable, viable neighborhoods
20 and small communities, and strengthen existing neighborhoods and
21 small communities.

22 Sec. 4. For purposes of the Neighborhood Development Act:

23 (1) College means the College of Public Affairs and
24 Community Service of the University of Nebraska at Omaha;

25 (2) Community improvement group means a neighborhood

1 association or small community;

2 (3) Fund means the Neighborhood Development Grant Fund;

3 (4) Neighborhood association means an organization that
4 is recognized or endorsed by an incorporated city or village or
5 county as representing all of the residents within a specific,
6 defined geographical area, with the organization representing those
7 residents on a wide range of issues through an open meeting process
8 with elected officers and regularly scheduled meetings; and

9 (5) Small community means an unincorporated village or
10 an incorporated city of the second class or village as defined in
11 sections 17-101 and 17-201.

12 Sec. 5. (1) The Neighborhood Development Grant Fund is
13 created. The fund shall be used by the college to carry out its
14 duties and responsibilities under the Neighborhood Development Act.
15 The college shall distribute no more than fifty percent of the fund
16 to neighborhood associations and no more than fifty percent of the
17 fund to small communities. It is the intent of the Legislature that
18 one hundred twenty-five thousand dollars be appropriated to the
19 fund for FY2009-10 and each of the following fiscal years through
20 FY2012-13.

21 (2) The State Treasurer shall credit to the fund any
22 money (a) appropriated to the fund by the Legislature, (b) donated
23 as gifts, bequests, grants, or otherwise contributed to the fund
24 from public or private sources, and (c) received pursuant to this
25 section. Any money in the fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska
2 Capital Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 6. (1) The college shall award development grants
4 to qualified community improvement groups through an application
5 process. The college shall develop and provide requesting community
6 improvement groups with an application form. The form shall be
7 simple and concise, using nontechnical language, and the questions
8 on the form shall be factual in nature.

9 (2) To be eligible for a grant, the applying community
10 improvement group shall:

11 (a) Demonstrate that the grant funds will be used for a
12 neighborhood or community project;

13 (b) Demonstrate with regard to the project:

14 (i) That it will provide a public benefit;

15 (ii) That it will provide a particular benefit to the
16 applicant's neighborhood or small community;

17 (iii) That it will be completed within one year after
18 receipt of the grant;

19 (iv) That neighborhood or small community residents were
20 involved in the identification and planning for the project and
21 will be involved in the project's execution; and

22 (v) That the project does not duplicate an existing
23 public program;

24 (c) Document verifiable goals for the project for which
25 grant funds are requested; and

1 (d) Document that the applicant will bring to the project
2 a match equivalent in money or in-kind services equal to the
3 following:

4 (i) For a grant of five thousand dollars or less, a match
5 equivalent to at least twenty-five percent of the amount of the
6 grant sought;

7 (ii) For a grant of seven thousand five hundred dollars
8 or less but more than five thousand dollars, a match equivalent to
9 at least twenty-six percent and no more than forty-nine percent of
10 the amount of the grant sought; and

11 (iii) For a grant of ten thousand dollars or less but
12 more than seven thousand five hundred dollars, a match equivalent
13 to fifty percent or more of the amount of the grant sought.

14 (3) A recipient of a grant shall not use the grant
15 funds for administrative support of the recipient, for the planning
16 of a project, or for the administrative costs relating to the
17 planning of a project. Not more than five percent of the grant
18 funds received shall be expended by the recipient of the grant
19 for expenses incurred in administering the grant. A recipient of
20 a grant may not receive more than one grant for the same project,
21 and a project may not receive more than one grant in any one year.
22 No grant to a single community improvement group shall exceed ten
23 thousand dollars.

24 Sec. 7. In assessing the applications received from
25 community improvement groups, the college shall weigh the relative

1 merits of the applications, giving consideration to the following
2 factors:

3 (1) The amount of the match;

4 (2) The level of involvement by persons living in the
5 community;

6 (3) The community needs that are reflected in the
7 application;

8 (4) The likelihood of the successful completion of the
9 project;

10 (5) The innovative character of the proposed solution;
11 and

12 (6) The efficiency of the proposed allocation of state,
13 local, public, and private resources in solving the local community
14 needs.

15 Sec. 8. Upon completion of a project for which a grant
16 has been received or within one year from the date of receipt of
17 a grant, whichever comes first, the recipient community improvement
18 group shall provide the college with an evaluation reporting the
19 results of the project.

20 Sec. 9. The college shall submit an annual report to the
21 Governor and the Legislature on or before January 1 of each year
22 listing the recipients and amounts of grants made pursuant to the
23 Neighborhood Development Act in the previous year, the impact of
24 the grants, and an evaluation of each project's performance based
25 on the documented reports of the recipient community improvement

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1 groups.

2 Sec. 10. The Neighborhood Development Act terminates on

3 June 30, 2013.