

AMENDMENTS TO LB 388

(Amendments to E & R amendments, ER59)

Introduced by Flood

1 1. Insert the following new sections:

2 Sec. 9. (1) The Industrial Recovery Fund is created.
3 The fund shall be administered by the Department of Economic
4 Development. Any money in the fund available for investment
5 shall be invested by the state investment officer pursuant to
6 the Nebraska Capital Expansion Act and the Nebraska State Funds
7 Investment Act.

8 (2) The department may provide assistance from the fund
9 to a political subdivision impacted by a sudden and significant
10 private-sector entity closure or downsizing that will have a
11 significant impact on the community. The assistance shall be used
12 to mitigate the economic impact of the closure or downsizing by
13 making necessary improvements to the buildings and infrastructure,
14 or both, related to the assets of the private-sector entity.

15 (3) The fund shall consist of funds remitted for deposit
16 in the fund pursuant to section 58-708. If the fund balance
17 exceeds one million dollars, deposits to the fund pursuant to such
18 section shall cease until the fund balance is less than one million
19 dollars.

20 Sec. 13. Section 58-708, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 58-708 (1) During each calendar year in which funds are

1 available from the Affordable Housing Trust Fund for use by the
2 Department of Economic Development, the department shall allocate
3 a specific amount of funds, not less than twenty-five percent,
4 to each congressional district. Entitlement area funds allocated
5 under this section that are not awarded to an eligible project
6 from within the entitlement area within one year shall be made
7 available for distribution to eligible projects elsewhere in the
8 state. The department shall announce a grant and loan application
9 period of at least ninety days duration for all nonentitlement
10 areas. In selecting projects to receive trust fund assistance,
11 the department shall develop a qualified allocation plan and give
12 first priority to financially viable projects that serve the lowest
13 income occupants for the longest period of time. The qualified
14 allocation plan shall:

15 (a) Set forth selection criteria to be used to determine
16 housing priorities of the housing trust fund which are appropriate
17 to local conditions, including the community's immediate need
18 for affordable housing, proposed increases in home ownership,
19 private dollars leveraged, level of local government support and
20 participation, and repayment, in part or in whole, of financial
21 assistance awarded by the fund; and

22 (b) Give first priority in allocating trust fund
23 assistance among selected projects to those projects which serve
24 the lowest income occupant and are obligated to serve qualified
25 occupants for the longest period of time.

26 (2) The department shall fund in order of priority as
27 many applications as will utilize available funds less actual

1 administrative costs of the department in administering the
2 program. In administering the program the department may contract
3 for services or directly provide funds to other governmental
4 entities or instrumentalities.

5 (3) The department may recapture any funds which were
6 allocated to a qualified recipient for an eligible project through
7 an award agreement if such funds were not utilized for eligible
8 costs within the time of performance under the agreement and
9 are therefor no longer obligated to the project. The recaptured
10 funds shall be credited to the Industrial Recovery Fund except as
11 provided in section 9 of this act.

12 2. Renumber the remaining sections and correct the
13 repealer accordingly.