

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1079

Introduced by Davis, 43.

Read first time January 22, 2014

Committee: Revenue

A BILL

1 FOR AN ACT relating to the Civic and Community Center Financing Act;
2 to amend section 13-2706, Reissue Revised Statutes of
3 Nebraska, and sections 13-2703, 13-2705, 13-2707,
4 13-2707.01, and 13-2709, Revised Statutes Supplement,
5 2013; to authorize grants to certain county agricultural
6 societies; to harmonize provisions; to repeal the
7 original sections; and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2703, Revised Statutes Supplement,
2 2013, is amended to read:

3 13-2703 For purposes of the Civic and Community Center
4 Financing Act:

5 (1) Applicant means a municipality or a county
6 agricultural society in a county with a population of less than one
7 thousand;

8 ~~(1)~~(2) Civic center means a facility that is primarily
9 used to host conventions, meetings, and cultural events and a
10 library;

11 ~~(2)~~(3) Community center means the traditional center of
12 a community, typically comprised of a cohesive core of residential,
13 civic, religious, and commercial buildings, arranged around a main
14 street and intersecting streets;

15 ~~(3)~~(4) Department means the Department of Economic
16 Development;

17 ~~(4)~~(5) Fund means the Civic and Community Center
18 Financing Fund;

19 ~~(5)~~(6) Historic building means a building eligible for
20 listing on or currently listed on the National Register of Historic
21 Places; and

22 ~~(6)~~(7) Recreation center means a facility used for
23 athletics, fitness, sport activities, or recreation that is owned by
24 ~~a municipality~~an applicant and is available for use by the general
25 public with or without charge. Recreation center does not include any

1 facility that requires a person to purchase a membership to utilize
2 such facility.

3 Sec. 2. Section 13-2705, Revised Statutes Supplement,
4 2013, is amended to read:

5 13-2705 The department may conditionally approve grants
6 of assistance from the fund to eligible and competitive applicants
7 within the following limits:

8 (1) Except as provided in subdivision (2) of this
9 section, a grant request shall be in an amount meeting the following
10 requirements:

11 (a) For a grant of assistance under section 13-2704.01,
12 at least ten thousand dollars but no more than:

13 (i) For a city of the primary class, one million five
14 hundred thousand dollars;

15 (ii) For a municipality with a population of forty
16 thousand but less than one hundred thousand, seven hundred fifty
17 thousand dollars;

18 (iii) For a municipality with a population of twenty
19 thousand but less than forty thousand, five hundred thousand dollars;

20 (iv) For a municipality with a population of ten thousand
21 but less than twenty thousand, four hundred thousand dollars; and

22 (v) For a municipality with a population of less than ten
23 thousand or a county agricultural society, two hundred fifty thousand
24 dollars; and

25 (b) For a grant of assistance under section 13-2704.02,

1 at least two thousand dollars but no more than ten thousand dollars;

2 (2) Upon the balance of the fund reaching two million
3 five hundred thousand dollars, and until the balance of the fund
4 falls below one million dollars, a grant request shall be in an
5 amount meeting the following requirements:

6 (a) For a grant of assistance under section 13-2704.01,
7 at least ten thousand dollars but no more than:

8 (i) For a city of the primary class, two million two
9 hundred fifty thousand dollars;

10 (ii) For a municipality with a population of forty
11 thousand but less than one hundred thousand, one million one hundred
12 twenty-five thousand dollars;

13 (iii) For a municipality with a population of twenty
14 thousand but less than forty thousand, seven hundred fifty thousand
15 dollars;

16 (iv) For a municipality with a population of ten thousand
17 but less than twenty thousand, six hundred thousand dollars; and

18 (v) For a municipality with a population of less than ten
19 thousand or a county agricultural society, three hundred seventy-five
20 thousand dollars; and

21 (b) For a grant of assistance under section 13-2704.02,
22 at least two thousand dollars but no more than ten thousand dollars;

23 (3) Assistance from the fund shall not amount to more
24 than fifty percent of the cost of the project for which a grant is
25 requested; and

1 (4) ~~A municipality~~ An applicant shall not be awarded more
2 than one grant of assistance under section 13-2704.01 and one grant
3 of assistance under section 13-2704.02 in any five-year period.

4 Sec. 3. Section 13-2706, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 13-2706 (1) Except as provided in subsection (2) of this
7 section for a city of the primary class, any ~~municipality~~ applicant
8 that has applied for and received a grant of assistance under the
9 Sports Arena Facility Financing Assistance Act shall not receive
10 state assistance under the Civic and Community Center Financing Act
11 for the same project for which the grant was awarded under the Sports
12 Arena Facility Financing Assistance Act.

13 (2) A city of the primary class shall not be eligible to
14 receive a grant of assistance from the Civic and Community Center
15 Financing Act if the city has applied for and received a grant of
16 assistance under the Sports Arena Facility Financing Assistance Act.

17 (3) Any ~~city~~ applicant that has received funding under
18 the Convention Center Facility Financing Assistance Act shall not
19 receive state assistance under the Civic and Community Center
20 Financing Act.

21 (4) Any ~~municipality~~ applicant eligible for a grant of
22 assistance as provided in this section may apply for a grant of
23 assistance from the fund. Application shall be made on forms
24 developed by the department.

25 Sec. 4. Section 13-2707, Revised Statutes Supplement,

1 2013, is amended to read:

2 13-2707 (1) The department shall evaluate all
3 applications for grants of assistance under section 13-2704.01 based
4 on the following criteria, which are listed in no particular order of
5 preference:

6 (a) Retention Impact. Funding decisions by the department
7 shall be based on the likelihood of the project retaining existing
8 residents in the community where the project is located, developing,
9 sustaining, and fostering community connections, and enhancing the
10 potential for economic growth in a manner that will sustain the
11 quality of life and promote long-term economic development;

12 (b) New Resident Impact. Funding decisions by the
13 department shall be based on the likelihood of the project attracting
14 new residents to the community where the project is located;

15 (c) Visitor Impact. Funding decisions by the department
16 shall be based on the likelihood of the project enhancing or creating
17 an attraction that would increase the potential of visitors to the
18 community where the project is located from inside and outside the
19 state;

20 (d) Readiness. The applicant's fiscal and economic
21 capacity to finance the local share and ability to proceed and
22 implement its plan and operate the civic center, community center, or
23 recreation center; and

24 (e) Project Planning. Projects with completed technical
25 assistance and feasibility studies shall be preferred to those with

1 no prior planning.

2 (2) Any grant of assistance under section 13-2704.01
3 shall be matched at least equally from local sources. At least fifty
4 percent of the local match must be in cash.

5 (3) To receive a grant of assistance under section
6 13-2704.01, the project for which the grant is requested shall be
7 located in the municipality that applies for the grant or owned by
8 the county agricultural society that applies for the grant.

9 Sec. 5. Section 13-2707.01, Revised Statutes Supplement,
10 2013, is amended to read:

11 13-2707.01 The department shall evaluate all applications
12 for grants of assistance under section 13-2704.02 based on the
13 following criteria:

14 (1) Financial Support. Assistance from the fund shall be
15 matched at least equally from local sources. At least fifty percent
16 of the local match must be in cash. Projects with a higher level of
17 local matching funds shall be preferred as compared to those with a
18 lower level of matching funds; and

19 (2) Project Location. Assistance from the fund shall be
20 for engineering and technical studies related to projects that will
21 be located in the municipality that applies for the grant or projects
22 owned by the county agricultural society that applies for the grant.

23 Sec. 6. Section 13-2709, Revised Statutes Supplement,
24 2013, is amended to read:

25 13-2709 The department shall submit, as part of the

1 department's annual status report under section 81-1201.11, the
2 following information regarding the Civic and Community Center
3 Financing Act:

4 (1) Information documenting the grants conditionally
5 approved for funding by the Legislature in the following fiscal year;

6 (2) Reasons why a full application was not sent to any
7 ~~municipality applicant~~ seeking assistance under the act;

8 (3) The amount of sales tax revenue generated for the
9 fund pursuant to subsection (4) of section 13-2610 and subsection (6)
10 of section 13-3108, the total amount of grants applied for under the
11 act, the year-end fund balance, and, if all available funds have not
12 been committed to funding grants under the act, an explanation of the
13 reasons why all such funds have not been so committed;

14 (4) The amount of appropriated funds actually expended by
15 the department for the year;

16 (5) The department's current budget for administration of
17 the act and the department's planned use and distribution of funds,
18 including details on the amount of funds to be expended on grants and
19 the amount of funds to be expended by the department for
20 administrative purposes; and

21 (6) Grant summaries, including the applicant,
22 ~~municipality~~, project description, grant amount requested, amount and
23 type of matching funds, and reasons for approval or denial based on
24 evaluation criteria from section 13-2707 or 13-2707.01 for every
25 application seeking assistance under the act.

1 Sec. 7. Original section 13-2706, Reissue Revised
2 Statutes of Nebraska, and sections 13-2703, 13-2705, 13-2707,
3 13-2707.01, and 13-2709, Revised Statutes Supplement, 2013, are
4 repealed.

5 Sec. 8. Since an emergency exists, this act takes effect
6 when passed and approved according to law.