

AMENDMENTS TO LB39

(Amendments to Standing Committee amendments, AM582)

Introduced by McKinney, 11.

1           1. Insert the following new section:

2           Section 1. Section 13-2610, Revised Statutes Cumulative Supplement,  
3   2020, is amended to read:

4           13-2610 (1) Upon the annual certification under section 13-2609, the  
5   State Treasurer shall transfer after the audit the amount certified to  
6   the Convention Center Support Fund. The Convention Center Support Fund is  
7   created. Transfers may be made from the fund to the General Fund at the  
8   direction of the Legislature. Any money in the Convention Center Support  
9   Fund available for investment shall be invested by the state investment  
10  officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
11  State Funds Investment Act.

12           ~~(2)(a) (2)~~ It is the intent of the Legislature to appropriate from  
13  the fund to any political subdivision for which an application for state  
14  assistance under the Convention Center Facility Financing Assistance Act  
15  has been approved an amount not to exceed (i) ~~(a)~~ seventy percent of the  
16  state sales tax revenue collected by retailers and operators doing  
17  business at such facilities on sales at such facilities, state sales tax  
18  revenue collected on primary and secondary box office sales of admissions  
19  to such facilities, and state sales tax revenue collected by associated  
20  hotels, (ii) ~~(b)~~ seventy-five million dollars for any one approved  
21  project, or (iii) ~~(c)~~ the total cost of acquiring, constructing,  
22  improving, or equipping the eligible facility. State assistance shall not  
23  be used for an operating subsidy or other ancillary facility.

24           (b) It is further the intent of the Legislature to appropriate from  
25 the fund to any city of the metropolitan class for which an application  
26 for state assistance under the Convention Center Facility Financing

1 Assistance Act has been approved an amount not to exceed the amount of  
2 money transferred to the fund pursuant to subdivision (9)(a) of section  
3 13-3108.

4 (3)(a) Ten percent of ~~the such~~ funds appropriated to a city of the  
5 metropolitan class under subdivision (2)(a) subsection—(2) of this  
6 section and all of the funds appropriated to a city of the metropolitan  
7 class under subdivision (2)(b) of this section shall be equally  
8 distributed to areas with a high concentration of poverty to (i) showcase  
9 important historical aspects of such areas or areas within close  
10 geographic proximity of the area with a high concentration of poverty or  
11 (ii) assist with the reduction of street and gang violence in such areas.

12 (b) Each area with a high concentration of poverty that has been  
13 distributed funds under subdivision (3)(a) of this section shall  
14 establish a development fund and form a committee which shall identify  
15 and research potential projects to be completed in the area with a high  
16 concentration of poverty or in an area within close geographic proximity  
17 of such area if the project would have a significant or demonstrable  
18 impact on such area and make final determinations on the use of the funds  
19 ~~state sales tax revenue~~ received for such projects.

20 (c) A committee formed under subdivision (3)(b) of this section  
21 shall include the following three members:

22 (i) The member of the city council whose district includes a  
23 majority of the census tracts which each contain a percentage of persons  
24 below the poverty line of greater than thirty percent, as determined by  
25 the most recent federal decennial census, within the area with a high  
26 concentration of poverty;

27 (ii) The commissioner of the county whose district includes a  
28 majority of the census tracts which each contain a percentage of persons  
29 below the poverty line of greater than thirty percent, as determined by  
30 the most recent federal decennial census, within the area with a high  
31 concentration of poverty; and

1 (iii) A resident of the area with a high concentration of poverty,  
2 appointed by the other two members of the committee.

3 (d) A committee formed under subdivision (3)(b) of this section  
4 shall solicit project ideas from the public and shall hold a public  
5 hearing in the area with a high concentration of poverty. Notice of a  
6 proposed hearing shall be provided in accordance with the procedures for  
7 notice of a public hearing pursuant to section 18-2115.01. The committee  
8 shall research potential projects and make the final determination  
9 regarding the annual distribution of funding to such projects.

10 (e) For purposes of this subsection, an area with a high  
11 concentration of poverty means an area within the corporate limits of a  
12 city of the metropolitan class consisting of one or more contiguous  
13 census tracts, as determined by the most recent federal decennial census,  
14 which contain a percentage of persons below the poverty line of greater  
15 than thirty percent, and all census tracts contiguous to such tract or  
16 tracts, as determined by the most recent federal decennial census.

17 (4)(a) Ten percent of the such funds appropriated to a city of the  
18 primary class under subdivision (2)(a) ~~subsection (2)~~ of this section  
19 may, if the city determines by consent of the city council that such  
20 funds are not currently needed for the purposes described in section  
21 13-2604, be used as follows:

22 (i) For investment in the construction of qualified low-income  
23 housing projects as defined in 26 U.S.C. 42, including qualified projects  
24 receiving Nebraska affordable housing tax credits under the Affordable  
25 Housing Tax Credit Act; or

26 (ii) If there are no such qualified low-income housing projects as  
27 defined in 26 U.S.C. 42 being constructed or expected to be constructed  
28 within the political subdivision, for investment in areas with a high  
29 concentration of poverty to assist with low-income housing needs.

30 (b) For purposes of this subsection, an area with a high  
31 concentration of poverty means an area within the corporate limits of a

1 city of the primary class consisting of one or more contiguous census  
2 tracts, as determined by the most recent American Community Survey 5-Year  
3 Estimate, which contain a percentage of persons below the poverty line of  
4 greater than thirty percent, and all census tracts contiguous to such  
5 tract or tracts, as determined by the most recent American Community  
6 Survey 5-Year Estimate.

7 (5) State assistance to the political subdivision shall no longer be  
8 available upon the retirement of the bonds issued to acquire, construct,  
9 improve, or equip the facility or any subsequent bonds that refunded the  
10 original issue or when state assistance reaches the amount determined  
11 under subdivision (2)(a) ~~subsection (2)~~ of this section, whichever comes  
12 first.

13 (6) The remaining thirty percent of state sales tax revenue  
14 collected by retailers and operators doing business at such facilities on  
15 sales at such facilities, state sales tax revenue collected on primary  
16 and secondary box office sales of admissions to such facilities, and  
17 state sales tax revenue collected by associated hotels, shall be  
18 appropriated by the Legislature to the Civic and Community Center  
19 Financing Fund. Upon the annual certification required pursuant to  
20 section 13-2609 and following the transfer to the Convention Center  
21 Support Fund required pursuant to subsection (1) of this section, the  
22 State Treasurer shall transfer an amount equal to the remaining thirty  
23 percent from the Convention Center Support Fund to the Civic and  
24 Community Center Financing Fund.

25 (7) Any municipality that has applied for and received a grant of  
26 assistance under the Civic and Community Center Financing Act may not  
27 receive state assistance under the Convention Center Facility Financing  
28 Assistance Act.

29 2. On page 10, line 12, after the comma insert "eighty-three percent  
30 of"; and in line 13 after "Fund" insert "and seventeen percent of such  
31 revenue shall be transferred to the Convention Center Support Fund".

- 1           3. On page 12, lines 19 and 23, strike "9" and insert "10".
- 2           4. Renumber the remaining sections and correct the repealer
- 3 accordingly.