

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 940

Introduced by Friesen, 34.

Read first time January 09, 2018

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to the Civic and Community Center Financing
2 Act; to amend sections 13-2703 and 13-2707, Revised Statutes
3 Cumulative Supplement, 2016, and section 13-2705, Revised Statutes
4 Supplement, 2017; to redefine terms; to expand the use of the Civic
5 and Community Center Financing Fund; to change grant request limits
6 as prescribed; to provide a restriction on the sale of certain
7 municipally owned centers; to provide priority for certain grant
8 applications as prescribed; and to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2703, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

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

5 (1) Civic center means a facility that is primarily used to host
6 conventions, meetings, and cultural events and a library;

7 (2) Community center means property that is owned by a municipality
8 and located within the traditional center of a community, typically
9 comprised of a cohesive core of residential, civic, religious, and
10 commercial buildings, arranged around a main street and intersecting
11 streets;

12 (3) Department means the Department of Economic Development;

13 (4) Fund means the Civic and Community Center Financing Fund;

14 (5) Historic building or district means a building or district
15 eligible for listing on or currently listed on the National Register of
16 Historic Places; and

17 (6) Recreation center means a facility or park used for athletics,
18 fitness, sport activities, or recreation that is owned by a municipality
19 and is available for use by the general public with or without charge.
20 Recreation center does not include any facility that requires a person to
21 purchase a membership to utilize such facility.

22 Sec. 2. Section 13-2705, Revised Statutes Supplement, 2017, is
23 amended to read:

24 13-2705 The department may conditionally approve grants of
25 assistance from the fund to eligible and competitive applicants within
26 the following limits:

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

29 (a) For a grant of assistance under section 13-2704.01, at least
30 fifteen ~~ten~~ thousand dollars but no more than:

31 (i) For a city of the primary class, two ~~one~~ million two ~~five~~

1 hundred fifty thousand dollars;

2 (ii) For a city with a population of more than forty thousand but
3 less than one hundred thousand inhabitants as determined by the most
4 recent federal decennial census or the most recent revised certified
5 count by the United States Bureau of the Census, one million one hundred
6 twenty-five ~~seven hundred fifty~~ thousand dollars;

7 (iii) For a city with a population of more than twenty thousand but
8 less than forty thousand inhabitants as determined by the most recent
9 federal decennial census or the most recent revised certified count by
10 the United States Bureau of the Census, seven hundred fifty ~~five hundred~~
11 thousand dollars;

12 (iv) For a city with a population of more than ten thousand but less
13 than twenty thousand inhabitants as determined by the most recent federal
14 decennial census or the most recent revised certified count by the United
15 States Bureau of the Census, six ~~four~~ hundred thousand dollars; and

16 (v) For a municipality with a population of less than ten thousand
17 inhabitants as determined by the most recent federal decennial census or
18 the most recent revised certified count by the United States Bureau of
19 the Census, three ~~two~~ hundred seventy-five ~~fifty~~ thousand dollars; and

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

22 (2) Upon the balance of the fund reaching three ~~two~~ million seven
23 five hundred fifty thousand dollars, and until the balance of the fund
24 falls below one million five hundred thousand dollars, a grant request
25 shall be in an amount meeting the following requirements:

26 (a) For a grant of assistance under section 13-2704.01, at least
27 fifteen ~~ten~~ thousand dollars but no more than:

28 (i) For a city of the primary class, three ~~two~~ million three ~~two~~
29 hundred seventy-five ~~fifty~~ thousand dollars;

30 (ii) For a city with a population of more than forty thousand but
31 less than one hundred thousand inhabitants as determined by the most

1 recent federal decennial census or the most recent revised certified
2 count by the United States Bureau of the Census, one million ~~six~~ ~~one~~
3 hundred ~~eighty-seven~~ ~~twenty-five~~ thousand dollars;

4 (iii) For a city with a population of more than twenty thousand but
5 less than forty thousand inhabitants as determined by the most recent
6 federal decennial census or the most recent revised certified count by
7 the United States Bureau of the Census, one million one ~~seven~~ hundred
8 ~~twenty-five~~ ~~fifty~~ thousand dollars;

9 (iv) For a city with a population of more than ten thousand but less
10 than twenty thousand inhabitants as determined by the most recent federal
11 decennial census or the most recent revised certified count by the United
12 States Bureau of the Census, nine ~~six~~ hundred thousand dollars; and

13 (v) For a municipality with a population of less than ten thousand
14 inhabitants as determined by the most recent federal decennial census or
15 the most recent revised certified count by the United States Bureau of
16 the Census, five ~~three~~ hundred sixty-two ~~seventy-five~~ thousand dollars;
17 and

18 (b) For a grant of assistance under section 13-2704.02, at least
19 three ~~two~~ thousand dollars but no more than fifteen ~~ten~~ thousand dollars;

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

22 (4) A municipality shall not be awarded more than one grant of
23 assistance under section 13-2704.01 and one grant of assistance under
24 section 13-2704.02 in any two-year ~~five-year~~ period; ~~and~~ -

25 (5) A municipality shall not sell any civic, community, or
26 recreation center that received grant funds for at least five years under
27 the Civic and Community Center Financing Act.

28 Sec. 3. Section 13-2707, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 13-2707 (1) The department shall evaluate all applications for
31 grants of assistance under section 13-2704.01 based on the following

1 criteria, which are listed in no particular order of preference:

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

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

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

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

18 (e) Project Planning. Projects with completed technical assistance
19 and feasibility studies shall be preferred to those with no prior
20 planning.

21 (2) The department shall give priority to applications from
22 municipalities which have not received a grant of assistance under
23 section 13-2704.01 within the last ten years.

24 (3) ~~(2)~~ Any grant of assistance under section 13-2704.01 shall be
25 matched at least equally from local sources. At least fifty percent of
26 the local match must be in cash.

27 (4) ~~(3)~~ To receive a grant of assistance under section 13-2704.01,
28 the project for which the grant is requested shall be located in the
29 municipality that applies for the grant.

30 Sec. 4. Original sections 13-2703 and 13-2707, Revised Statutes
31 Cumulative Supplement, 2016, and section 13-2705, Revised Statutes

1 Supplement, 2017, are repealed.