

AMENDMENTS TO LB531  
(Amendments to AM1222)

Introduced by Brandt, 32.

1           1. Insert the following new sections:

2           Section 1. Section 18-2709, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4           18-2709 (1) Qualifying business means any corporation, partnership,  
5 limited liability company, or sole proprietorship which derives its  
6 principal source of income from any of the following: The manufacture of  
7 articles of commerce; the conduct of research and development; the  
8 processing, storage, transport, or sale of goods or commodities which are  
9 sold or traded in interstate commerce; the sale of services in interstate  
10 commerce; headquarters facilities relating to eligible activities as  
11 listed in this section; telecommunications activities, including services  
12 providing advanced telecommunications capability; tourism-related  
13 activities; or the production of films, including feature, independent,  
14 and documentary films, commercials, and television programs.

15           (2) Qualifying business also means:

16           (a) In cities of the first class, cities of the second class, and  
17 villages, a business that derives its principal source of income from the  
18 construction or rehabilitation of housing;

19           (b) In cities of the first class, cities of the second class, and  
20 villages, a business that derives its principal source of income from  
21 early childhood care and education programs;

22           (c) A business that derives its principal source of income from  
23 retail trade, except that no more than forty percent of the total revenue  
24 generated pursuant to the Local Option Municipal Economic Development Act  
25 for an economic development program in any twelve-month period and no  
26 more than twenty percent of the total revenue generated pursuant to the

1 act for an economic development program in any five-year period,  
2 commencing from the date of municipal approval of an economic development  
3 program, shall be used by the city for or devoted to the use of retail  
4 trade businesses. For purposes of this subdivision, retail trade means a  
5 business which is principally engaged in the sale of goods or commodities  
6 to ultimate consumers for their own use or consumption and not for  
7 resale; and

8 (d) In cities with a population of five thousand ~~two thousand five~~  
9 ~~hundred~~ inhabitants or less as determined by the most recent federal  
10 decennial census or the most recent revised certified count by the United  
11 States Bureau of the Census, a business shall be a qualifying business  
12 even though it derives its principal source of income from activities  
13 other than those set out in this section.

14 (3) If a business which would otherwise be a qualifying business  
15 employs people and carries on activities in more than one city in  
16 Nebraska or will do so at any time during the first year following its  
17 application for participation in an economic development program, it  
18 shall be a qualifying business only if, in each such city, it maintains  
19 employment for the first two years following the date on which such  
20 business begins operations in the city as a participant in its economic  
21 development program at a level not less than its average employment in  
22 such city over the twelve-month period preceding participation.

23 (4) A qualifying business need not be located within the territorial  
24 boundaries of the city from which it is or will be receiving financial  
25 assistance.

26 (5) Qualifying business does not include a political subdivision, a  
27 state agency, or any other governmental entity, except as allowed for  
28 cities of the first class, cities of the second class, and villages for  
29 rural infrastructure development as provided for in subdivision (3)(b) of  
30 section 18-2705.

31 Sec. 11. Sections 1 and 13 of this act become operative three

1 calendar months after the adjournment of this legislative session. The  
2 other sections of this act become operative on their effective date.

3 Sec. 13. Original section 18-2709, Reissue Revised Statutes of  
4 Nebraska, is repealed.

5 2. On page 9, line 19; and page 12, line 23, strike "effective date  
6 of this act" and insert "operative date of this section".

7 3. On page 9, lines 19 and 20; and page 12, lines 28 and 29, strike  
8 "effective date of this act" and insert "operative date of this section".

9 4. Renumber the remaining sections and correct internal references  
10 accordingly.