

LEGISLATIVE BILL 774

Approved by the Governor May 25, 1999

Introduced by Hartnett, 45

AN ACT relating to community development; to amend sections 18-2113, 18-2117.01, and 18-2153, Reissue Revised Statutes of Nebraska; to change provisions relating to cost-benefit analyses and reports; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 18-2113, Reissue Revised Statutes of Nebraska, is amended to read:

18-2113. (1) Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, ~~+~~ including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations~~7~~ or conditions of blight.

(2) The authority shall conduct a cost-benefit analysis for each redevelopment project ~~(a) which is proposed or pending approval by the governing body on or after January 17, 1999, and (b) whose redevelopment plan includes the use of funds authorized by section 18-2147. In conducting the cost-benefit analysis, the authority shall use a cost-benefit model developed for use by local projects. pursuant to the guidelines for cost-benefit analysis found in section 77-5104. One or more models for such use shall be developed by the Review Incentives Program Committee created in section 77-5102. Any cost-benefit model used by the authority shall consider and analyze the following factors:~~

(a) Tax shifts resulting from the approval of the use of funds pursuant to section 18-2147;

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

Sec. 2. Section 18-2117.01, Reissue Revised Statutes of Nebraska, is amended to read:

18-2117.01. (1) On or before December 1 each year, each city which has approved one or more redevelopment plans which are financed in whole or in part through the use of tax-increment financing as provided in section 18-2147 shall provide a report to the Property Tax Administrator on each such redevelopment plan which includes the following information:

(a) A copy of the redevelopment plan and any amendments thereto if they have not been previously filed, including the date upon which the redevelopment plan was approved and the location and boundaries of the property in the redevelopment project;

(b) The total valuation of the property in the redevelopment project subject to allocation before the project began and in subsequent years;

(c) The total consolidated ad valorem tax levy on the property in the redevelopment project subject to allocation; ~~and~~

(d) The total amount of ad valorem taxes on property in the redevelopment project paid into the fund of the public bodies and the amount of such taxes paid into the fund provided for in subdivision (1)(b) of section

18-2147; and

(e) A short narrative description of the type of development undertaken by the city or village with the financing and the type of business or commercial activity locating within the redevelopment project area as a result of the redevelopment project.

(2) The Property Tax Administrator shall compile the data provided by the cities pursuant to subdivisions (1)(b) through (e) ~~(d)~~ of this section along with relevant descriptive and identifying information regarding each project provided pursuant to subdivision (1)(a) of this section into a report which shall be transmitted to the Clerk of the Legislature not later than March 1 each year. The report may include any recommendations of the Property Tax Administrator as to what other information should be included in the report from the cities so as to facilitate analysis of the uses, purposes, and effectiveness of tax-increment financing and the process for its implementation or to streamline the reporting process provided for in this section to eliminate unnecessary paperwork.

Sec. 3. The Department of Economic Development shall, to the extent that funds are appropriated for such purpose, reimburse applying cities or villages for the fees paid by such cities or villages for the use of the cost-benefit analysis model, developed and approved as provided in sections 77-5101 to 77-5105, for projects using funds authorized by section 18-2147.

Sec. 4. Section 18-2153, Reissue Revised Statutes of Nebraska, is amended to read:

18-2153. The powers conferred by sections 18-2147 to 18-2153 and section 3 of this act shall be in addition and supplemental to the powers conferred by the Community Development Law and by any other law and shall be independent of and in addition to any other provision of the laws of the State of Nebraska with reference to the matters covered hereby. The provisions of such sections and all grants of power, authority, rights, or discretion to a city or village and to an authority created under the Community Development Law shall be liberally construed, and all incidental powers necessary to carry into effect such sections are hereby expressly granted to and conferred upon a city or village or an authority created pursuant to the Community Development Law.

Sec. 5. Original sections 18-2113, 18-2117.01, and 18-2153, Reissue Revised Statutes of Nebraska, are repealed.