



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 339

Chairperson: Mike Friend
Committee: Urban Affairs
Date of Hearing: January 27, 2009

The following constitute the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill proposes to amend Section 18-2102.01 (a portion of the Community Development Law which governs the exercise of tax increment financing authority) to allow for the appointment of an alternate member of a Community Redevelopment Authority (CRA). The alternate would act as a member of the CRA with full power and authority when acting in the absence of a regularly appointed CRA member. Community Redevelopment Authorities are the entities authorized by the Community Development Law and created by cities and villages to perform various activities aimed at the redevelopment of blighted and substandard property, including functions related to tax increment financing.

As provided in the Community Development Law, a CRA is composed of five members. Current law (section 18-2102.01(3), found at page 6, in line 6 of the bill) requires the presence of four members to constitute a quorum for meetings and the approval of three members is required before formal action can be taken or approved. If more than one member is absent, the CRA cannot act because of lack of a quorum, even if all the present members approve.

LB 339 addresses this issue by allowing the city or village to appoint an alternate member to the CRA. The alternate member may attend any meeting and may serve as a voting and participating member of the authority at any time when less than the full number of authority members is present and capable of voting. This would allow a quorum to be reached and business to be conducted if any single member was absent from the meeting, although the requirement for three positive votes to take action would remain in effect.

LB 339 also renumbers some the subsections of Section 18-2102.01 in a more logical fashion to make the section easier to read.

Principal Introducer: _____
Senator Mike Friend