

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 404
Final Reading

Introduced by Pirsch, 4.

Read first time January 13, 2011

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Department of Economic Development; to
2 amend sections 2-5422, 13-2709, 58-711, 81-1201.11,
3 81-1277, 81-12,104, 81-12,135, and 81-3605, Reissue
4 Revised Statutes of Nebraska, and section 81-1205,
5 Revised Statutes Cumulative Supplement, 2010; to change
6 provisions relating to certain reports; to provide an
7 operative date; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-5422, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-5422 The Department of Economic Development shall
4 ~~submit an annual report to the Governor and the Legislature on or~~
5 ~~before January 1~~ include information on the grants made under the
6 Agricultural Opportunities and Value-Added Partnerships Act in the
7 department's annual status report under section 81-1201.11, which
8 shall include a listing of the recipients and grant amounts for
9 grants made under the Agricultural Opportunities and Value-Added
10 Partnerships Act ~~act~~ in the previous year, the documented and
11 measurable impacts of the grants, and an evaluation of the
12 performance of the grant program based on the measurable goals and
13 expected outcomes of the recipients of such grants. Copies of the
14 program performance evaluation shall be made available through print
15 and electronic media.

16 Sec. 2. Section 13-2709, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 13-2709 The department shall submit, as part of the
19 department's annual status report under section 81-1201.11,
20 information ~~to the Governor, the Clerk of the Legislature, and the~~
21 ~~Legislative Fiscal Analyst an annual report on or before December 1~~
22 ~~each year~~ documenting the grants conditionally approved for funding
23 by the Legislature in the following fiscal year.

24 Sec. 3. Section 58-711, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 58-711 The Department of Economic Development shall
2 submit, as part of the department's annual status report under
3 section 81-1201.11, information detailing the status of the
4 Affordable Housing Trust Fund. ~~an annual report to the Legislature no~~
5 ~~later than March 15th of each year.~~ The status report shall list (1)
6 the applications funded during the previous calendar year, (2) the
7 applications funded in previous years, (3) the identity of the
8 organizations receiving funds, (4) the location of each project, (5)
9 the amount of funding provided to the project, (6) the amount of
10 funding leveraged as a result of the project, (7) the number of units
11 of housing created by the project and the occupancy rate, (8) the
12 expected cost of rent or monthly payment of those units, (9) the
13 projected number of new employees and community investment as a
14 result of the project, and (10) the amount of revenue deposited into
15 the Affordable Housing Trust Fund pursuant to sections 8-1120 and
16 76-903. The status report shall contain no information that is
17 protected by state or federal confidentiality laws.

18 Sec. 4. Section 81-1201.11, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 81-1201.11 The department shall:

21 (1) Serve as the lead state agency in the area of
22 economic development. The department shall develop a program to
23 promote coordination and cooperation within state government and with
24 institutions of higher education, local governments, other political
25 subdivisions of the state, and the private sector;

1 (2) Serve as a clearinghouse for information, data, and
2 other materials which may be helpful or necessary to the full
3 development of the state's economy, which may be relevant with regard
4 to the possibilities of future development in Nebraska, and which
5 will be of use to local governments, the Governor, other state
6 agencies, and the Legislature in discharging their responsibilities.
7 The department shall develop a program to ensure cooperation between
8 state agencies, the University of Nebraska, and other entities with
9 related economic information;

10 (3) Provide staff services when, in the opinion of the
11 director, such services are necessary and appropriate in the areas of
12 economic development to cities of the first class, second class, and
13 villages on a contractual basis when the terms of such contracts can
14 be mutually accepted;

15 (4) Assist the Governor in coordinating the efforts of
16 local governments to develop mutual and cooperative solutions to
17 their common problems; and

18 (5) Prepare annually a status report on the activities
19 and impacts of the department and its programs. The status report
20 shall include information detailing the status of all programs
21 administered by the department for which the Legislature requires
22 reporting. The status report shall be submitted to the Governor and
23 the Legislature on the first working day of ~~October~~ July of each
24 year.

25 Sec. 5. Section 81-1205, Revised Statutes Cumulative

1 Supplement, 2010, is amended to read:

2 81-1205 A business which is awarded a job training grant
3 or a training grant shall provide annual performance reports to the
4 Department of Economic Development and a final performance report
5 upon the completion of the project. The department shall ~~provide an~~
6 ~~annual report by December 1 of each year to the Appropriations~~
7 ~~Committee of the Legislature.~~ include information relating to such
8 grants in the department's annual status report under section
9 81-1201.11. The status report shall include information on each
10 active grant, including specific information regarding the number of
11 positions to be trained, whether new or existing employees are to be
12 trained, the length of time that the project has been active, the
13 amount of funding committed to the project, the amount of funding
14 paid out to date, and the projected completion date. The status
15 report shall also provide information on grants closed during the
16 reporting year, including the total number of employees trained,
17 whether new or existing employees were trained, total project
18 expenditures, and the duration time of the project. The ~~department~~
19 status report shall also provide information summarizing the use of
20 community college areas to provide training services and list
21 specific projects where a community college area is providing all or
22 a component of the training services. If private or inhouse training
23 services are used, the ~~department~~ status report shall provide
24 information regarding the name of the private or inhouse training
25 service and the qualifications of the training service.

1 Sec. 6. Section 81-1277, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-1277 The Existing Business Assistance Division shall
4 require, as a condition of contracts awarded under the Business
5 Development Services Program, satisfactory quarterly reports from
6 recipients describing services provided, clients served, and
7 expenditures. The division shall ~~provide an annual report to the~~
8 ~~Legislature which describes~~ include, as part of the Department of
9 Economic Development's annual status report under section 81-1201.11,
10 a description of the services provided under the Business Development
11 Partnership Act, ~~analyzes~~ an analysis of the impact of the services,
12 ~~makes~~ recommendations regarding the services, and ~~evaluates~~ an
13 evaluation of the performance of service deliverers.

14 Sec. 7. Section 81-12,104, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 81-12,104 The department shall submit, as part of the
17 department's annual status report under section 81-1201.11,
18 information ~~an annual report to the Governor and the Legislature on~~
19 ~~or before January 1 of each year~~ which shall include, but not be
20 limited to, a description of the demand for the program from
21 microenterprises and grant recipients in Nebraska, a listing of the
22 recipients and amounts of grants made pursuant to the Microenterprise
23 Development Act in the previous fiscal year, the impact of the
24 grants, a description of the partnerships between commercial lending
25 institutions and microloan delivery organizations that have resulted

1 from grants made by the program, and an evaluation of the program's
2 performance based on the documented goals of the recipients. The
3 department may require program recipients to provide periodic
4 performance reports to enable the department to fulfill the
5 requirements of this section.

6 Sec. 8. Section 81-12,135, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-12,135 The Department of Economic Development shall
9 submit ~~an annual report on information regarding~~ its activities under
10 the Nebraska Operational Assistance Act ~~to the Governor and the Clerk~~
11 ~~of the Legislature on or before January 1 each year.~~ as part of the
12 department's annual status report under section 81-1201.11.

13 Sec. 9. Section 81-3605, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 81-3605 On or before ~~February 15~~ July 1 of each year, the
16 executive director of the Rural Development Commission shall ~~transmit~~
17 submit to the Governor and the Clerk of the Legislature Department of
18 Economic Development an annual report which includes a summary of the
19 commission's activities, recommendations for future rural development
20 action, and an accounting of the source and use of funds disbursed
21 during the previous fiscal year. The Department of Economic
22 Development shall include such report in the department's annual
23 status report under section 81-1201.11.

24 Sec. 10. This act becomes operative on January 1, 2012.

25 Sec. 11. Original sections 2-5422, 13-2709, 58-711,

1 81-1201.11, 81-1277, 81-12,104, 81-12,135, and 81-3605, Reissue
2 Revised Statutes of Nebraska, and section 81-1205, Revised Statutes
3 Cumulative Supplement, 2010, are repealed.