

LEGISLATIVE BILL 404

Approved by the Governor May 16, 2011

Introduced by Pirsch, 4.

FOR AN ACT relating to the Department of Economic Development; to amend sections 2-5422, 13-2709, 58-711, 81-1201.11, 81-1277, 81-12,104, 81-12,135, and 81-3605, Reissue Revised Statutes of Nebraska, and section 81-1205, Revised Statutes Cumulative Supplement, 2010; to change provisions relating to certain reports; to provide an operative date; and to repeal the original sections.

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

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

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

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

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

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

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

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

81-1201.11 The department shall:

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

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

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

(4) Assist the Governor in coordinating the efforts of local

governments to develop mutual and cooperative solutions to their common problems; and

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

Sec. 5. Section 81-1205, Revised Statutes Cumulative Supplement, 2010, is amended to read:

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

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

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

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

81-12,104 The department shall submit, as part of the department's annual status report under section 81-1201.11, information ~~an annual report to the Governor and the Legislature on or before January 1 of each year~~ which shall include, but not be limited to, a description of the demand for the program from microenterprises and grant recipients in Nebraska, a listing of the recipients and amounts of grants made pursuant to the Microenterprise Development Act in the previous fiscal year, the impact of the grants, a description of the partnerships between commercial lending institutions and microloan delivery organizations that have resulted from grants made by the program, and an evaluation of the program's performance based on the documented goals of the recipients. The department may require program recipients to provide periodic performance reports to enable the department to fulfill the requirements of this section.

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

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

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

81-3605 On or before ~~February 15~~ July 1 of each year, the executive director of the Rural Development Commission shall ~~transmit~~ submit to the ~~Governor and the Clerk of the Legislature~~ Department of Economic Development an annual report which includes a summary of the commission's activities, recommendations for future rural development action, and an accounting of

the source and use of funds disbursed during the previous fiscal year. The Department of Economic Development shall include such report in the department's annual status report under section 81-1201.11.

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

Sec. 11. Original sections 2-5422, 13-2709, 58-711, 81-1201.11, 81-1277, 81-12,104, 81-12,135, and 81-3605, Reissue Revised Statutes of Nebraska, and section 81-1205, Revised Statutes Cumulative Supplement, 2010, are repealed.