

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 153

Introduced by Dubas, 34; Harms, 48.

Read first time January 11, 2013

Committee: Revenue

A BILL

1 FOR AN ACT relating to the Civic and Community Center Financing Act;
2 to amend sections 13-2702, 13-2703, 13-2704, 13-2705,
3 13-2707, and 13-2709, Reissue Revised Statutes of
4 Nebraska; to change provisions relating to the use of a
5 fund, the evaluation of grants, and reports; to define a
6 term; to eliminate obsolete provisions; to harmonize
7 provisions; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2702, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 13-2702 The purpose of the Civic and Community Center
4 Financing Act is to support the development of civic, ~~and community,~~
5 and recreation centers throughout Nebraska. Furthermore, the act is
6 intended to support projects that foster maintenance or growth of
7 communities.

8 Sec. 2. Section 13-2703, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 13-2703 For purposes of the Civic and Community Center
11 Financing Act:

12 (1) Civic center means a facility that is primarily used
13 to host conventions, meetings, and cultural events and a library;

14 (2) Community center means the traditional center of a
15 community, typically comprised of a cohesive core of residential,
16 civic, religious, and commercial buildings, arranged around a main
17 street and intersecting streets;

18 (3) Department means the Department of Economic
19 Development;

20 (4) Fund means the Civic and Community Center Financing
21 Fund; ~~and~~

22 (5) Historic building means a building eligible for
23 listing on or currently listed on the National Register of Historic
24 Places; and -

25 (6) Recreation center means a facility used for

1 athletics, fitness, sport activities, or recreation that is owned by
2 a municipality and is intended for public use.

3 Sec. 3. Section 13-2704, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 13-2704 (1) The Civic and Community Center Financing Fund
6 is created. The fund shall be administered by the department.
7 Transfers may be made from the fund to the General Fund at the
8 direction of the Legislature. Any money in the Civic and Community
9 Center Financing Fund available for investment shall be invested by
10 the state investment officer pursuant to the Nebraska Capital
11 Expansion Act and the Nebraska State Funds Investment Act. ~~The fund~~
12 ~~may be used for assistance for the construction of new civic centers,~~
13 ~~the renovation or expansion of existing civic or community centers,~~
14 ~~or the conversion, rehabilitation, or reuse of historic buildings for~~
15 ~~purposes consistent with this section. The fund may not be used for~~
16 ~~programming, marketing, advertising, and related activities.~~
17 Transfers may be made from the fund to the Department of Revenue
18 Enforcement Fund and to the State Colleges Sport Facilities Cash Fund
19 at the direction of the Legislature.

20 ~~(2) It is the intent of the Legislature that on July 1,~~
21 ~~2011, or as soon thereafter as is administratively possible the State~~
22 ~~Treasurer shall transfer forty two thousand nine hundred dollars from~~
23 ~~the Civic and Community Center Financing Fund to the Department of~~
24 ~~Revenue Enforcement Fund.~~

25 (2)(a) The department shall use the Civic and Community

1 Center Financing Fund for the following purposes:

2 (i) For grants to assist in the construction of new civic
3 centers and recreation centers or the renovation or expansion of
4 existing civic centers and recreation centers;

5 (ii) For grants to assist in the conversion,
6 rehabilitation, or reuse of historic buildings;

7 (iii) For grants to upgrade community centers, including
8 the demolition of substandard and abandoned buildings;

9 (iv) For grants for engineering and technical studies
10 directly related to projects described in subdivisions (2)(a)(i)
11 through (2)(a)(iii) of this section; and

12 (v) For reasonable and necessary costs of the department
13 directly related to the administration of the fund, not to exceed the
14 amount needed to employ a one-half full-time equivalent employee.

15 (b) The fund may not be used for programming, marketing,
16 advertising, or facility-staffing activities.

17 (c) Expenditures from the fund shall not be limited to
18 the amount appropriated.

19 (3) The State Treasurer shall transfer two hundred fifty
20 thousand dollars from the Civic and Community Center Financing Fund
21 to the State Colleges Sport Facilities Cash Fund on October 1 of
22 2012, 2013, and 2014. Commencing October 1, 2015, and every year
23 thereafter, the State Treasurer shall transfer four hundred thousand
24 dollars from the Civic and Community Center Financing Fund to the
25 State Colleges Sport Facilities Cash Fund.

1 Sec. 4. Section 13-2705, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 13-2705 The department may conditionally approve grants
4 of assistance from the fund to eligible and competitive applicants
5 within the following limits:

6 (1) Except as provided in subdivision (2) of this
7 section, a grant request shall be at least ten thousand dollars but
8 no more than:

9 (a) For a city of the primary class, one million five
10 hundred thousand dollars;

11 (b) For a municipality with a population of forty
12 thousand but less than one hundred thousand, seven hundred fifty
13 thousand dollars;

14 (c) For a municipality with a population of twenty
15 thousand but less than forty thousand, five hundred thousand dollars;

16 (d) For a municipality with a population of ten thousand
17 but less than twenty thousand, four hundred thousand dollars; and

18 (e) For a municipality with a population of less than ten
19 thousand, two hundred fifty thousand dollars;

20 (2) Upon the balance of the fund reaching two million
21 five hundred thousand dollars, and until the balance of the fund
22 falls below one million dollars, a grant request shall be at least
23 ten thousand dollars but no more than:

24 (a) For a city of the primary class, two million two
25 hundred fifty thousand dollars;

1 (b) For a municipality with a population of forty
2 thousand but less than one hundred thousand, one million one hundred
3 twenty-five thousand dollars;

4 (c) For a municipality with a population of twenty
5 thousand but less than forty thousand, seven hundred fifty thousand
6 dollars;

7 (d) For a municipality with a population of ten thousand
8 but less than twenty thousand, six hundred thousand dollars; and

9 (e) For a municipality with a population of less than ten
10 thousand, three hundred seventy-five thousand dollars;

11 (3) Assistance from the fund shall not amount to more
12 than fifty percent of the cost of ~~construction, renovation, or~~
13 ~~expansion; the project for which a grant is requested; and~~

14 (4) A municipality shall not be awarded more than one
15 grant in any five-year period.

16 Sec. 5. Section 13-2707, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 13-2707 The department shall evaluate all applications
19 for grants of assistance based on the following criteria, which are
20 listed in no particular order of preference:

21 ~~(1) Attraction impact. Funding decisions by the~~
22 ~~department shall be based in part on the likelihood of the project~~
23 ~~attracting new civic or community activity to Nebraska from outside~~
24 ~~of Nebraska. A project with greater out-of-state draw shall be~~
25 ~~preferred over a project with less impact;~~

1 ~~(2) Socioeconomic impact. The project's potential for~~
2 ~~long term positive impacts on the local and regional economy and~~
3 ~~society;~~

4 (1) Retention Impact. Funding decisions by the department
5 shall be based on the likelihood of the project retaining existing
6 residents in the community where the project is located, developing,
7 sustaining, and fostering community connections, and enhancing the
8 potential for economic growth in a manner that will sustain the
9 quality of life and promote long-term economic development;

10 (2) New Resident Impact. Funding decisions by the
11 department shall be based on the likelihood of the project attracting
12 new residents to the community where the project is located;

13 (3) Visitor Impact. Funding decisions by the department
14 shall be based on the likelihood of the project enhancing or creating
15 an attraction that would increase the potential of visitors to the
16 community where the project is located from inside and outside the
17 state;

18 ~~(3)-(4) Financial support. Assistance from the fund shall~~
19 ~~be matched at least equally from local sources. At least fifty~~
20 ~~percent of the local match must be in cash. Projects with a higher~~
21 ~~level of local matching funds shall be preferred as compared to those~~
22 ~~with a lower level of matching funds;~~

23 ~~(4)-(5) Readiness. The applicant's fiscal and economic~~
24 ~~capacity to finance the local share and ability to proceed and~~
25 ~~implement its plan and operate the civic ~~or~~ center, community center,~~

1 or recreation center;

2 ~~(5)~~(6) Project location. A project shall be located in
3 the municipality that applies for the grant; and

4 ~~(6)~~(7) Project planning. Projects with completed
5 technical assistance and feasibility studies shall be preferred to
6 those with no prior planning.

7 Sec. 6. Section 13-2709, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 13-2709 The department shall submit, as part of the
10 department's annual status report under section 81-1201.11, the
11 following information regarding the Civic and Community Center
12 Financing Act:

13 (1) Information documenting the grants conditionally
14 approved for funding by the Legislature in the following fiscal
15 year; -

16 (2) Reasons why a full application was not sent to any
17 municipality seeking assistance under the act;

18 (3) The amount of sales tax revenue generated for the
19 fund pursuant to subsection (4) of section 13-2610 and subsection (6)
20 of section 13-3108, the total amount of grants applied for under the
21 act, the year-end fund balance, and, if all available funds have not
22 been committed to funding grants under the act, an explanation of the
23 reasons why all such funds have not been so committed;

24 (4) The amount of appropriated funds actually expended by
25 the department for the year;

1 (5) The department's current budget for administration of
2 the act and the department's planned use and distribution of funds,
3 including details on the amount of funds to be expended on grants and
4 the amount of funds to be expended by the department for
5 administrative purposes; and

6 (6) Grant summaries, including the applicant
7 municipality, project description, grant amount requested, amount and
8 type of matching funds, and reasons for approval or denial based on
9 evaluation criteria from section 13-2707 for every application
10 seeking assistance under the act.

11 Sec. 7. Original sections 13-2702, 13-2703, 13-2704,
12 13-2705, 13-2707, and 13-2709, Reissue Revised Statutes of Nebraska,
13 are repealed.