

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 379

FINAL READING

Introduced by Harr, 8.

Read first time January 13, 2017

Committee: Appropriations

1 A BILL FOR AN ACT relating to state government; to amend sections 82-129
2 and 82-130, Reissue Revised Statutes of Nebraska, and section
3 13-2704.01, Revised Statutes Cumulative Supplement, 2016; to state
4 intent; to create a fund; to provide for grants from the Civic and
5 Community Center Financing Fund; to change provisions relating to
6 the Willa Cather historical buildings; to harmonize provisions; to
7 repeal the original sections; and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds and declares that:

2 (1) Willa Cather is a significant historical and literary figure of
3 Nebraska;

4 (2) There exist many Cather-related properties in Webster County
5 that provide irreplaceable historical value to the ongoing interpretation
6 of the significance of Cather;

7 (3) These properties also spur economic activity by means of
8 national and international tourism and annual literary conferences; and

9 (4) It is the intent of the Legislature to preserve these properties
10 for future generations.

11 Sec. 2. The Willa Cather Historical Building Cash Fund is created.
12 The fund shall be administered by the Nebraska State Historical Society.
13 The fund shall consist of any funds appropriated by the Legislature and
14 money donated as gifts, bequests, or other contributions from public or
15 private entities. The fund shall be used to preserve and restore the real
16 property described in section 82-130. Any money in the fund available for
17 investment shall be invested by the state investment officer pursuant to
18 the Nebraska Capital Expansion Act and the Nebraska State Funds
19 Investment Act.

20 Sec. 3. Section 13-2704.01, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 13-2704.01 (1) The department shall use the fund to provide grants
23 of assistance for the following purposes:

24 (a) To assist in the construction of new civic centers and
25 recreation centers or the renovation or expansion of existing civic
26 centers and recreation centers;

27 (b) To assist in the conversion, rehabilitation, or reuse of
28 historic buildings;~~or~~

29 (c) To assist in the preservation and restoration of historic
30 buildings owned by a nonprofit organization if a contractual relationship
31 is created between a municipality and the nonprofit organization; or

1 (d) ~~(e)~~ To upgrade community centers, including the demolition of
2 substandard and abandoned buildings.

3 (2) Applications for grants of assistance pursuant to this section
4 shall be evaluated by the department pursuant to section 13-2707.

5 Sec. 4. Section 82-129, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 82-129 (1) In 1978, the ~~The~~ Nebraska State Historical Society
8 ~~acquired~~ may acquire, without cost to the state, clear title in the name
9 of the State of Nebraska to ~~all~~ the real and personal property as
10 described in section 82-130 of the Willa Cather Pioneer Memorial and
11 Educational Foundation, now known as the Willa Cather Foundation, except
12 the foundation's trust account and investments which are ~~shall~~ be
13 retained by the foundation. The Nebraska State Historical Society may
14 enter into agreements with the foundation ~~Willa Cather Pioneer Memorial~~
15 ~~and Educational Foundation~~ for the operation of the Willa Cather Center
16 and for the real property owned by the State of Nebraska, but the society
17 shall be responsible for the general administration and continued
18 maintenance of such property and may accept gifts, grants, and bequests
19 for such purposes.

20 (2) The Nebraska State Historical Society may enter into an
21 agreement with the Willa Cather Foundation to transfer clear title of any
22 properties described in section 82-130 from the State of Nebraska to the
23 Willa Cather Foundation at no cost to either the society or foundation
24 other than any property transfer transactional costs to be shared equally
25 by the parties.

26 (3) In order to carry out any agreements made according to
27 subsection (2) of this section, the Nebraska State Historical Society may
28 dispose of these real properties using the vacant building and excess
29 land process under sections 72-811 to 72-818.

30 Sec. 5. Section 82-130, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 82-130 The real property of ~~the Willa Cather Pioneer Memorial and~~
2 ~~Educational Foundation~~ authorized to be acquired pursuant to section
3 82-129 is more particularly described as follows:

4 (1) The Cather House described as lots 1, 2, and 3, block 24,
5 original town of Red Cloud, Webster County, Nebraska;

6 (2) The Garber Bank described as lot 21, block 31, original town of
7 Red Cloud, Webster County, Nebraska;

8 (3) The Grace Episcopal Church described as lots 19, 20, 21, 22, 23,
9 and 24, block 6, original town, now the city of Red Cloud, Webster
10 County, Nebraska;

11 (4) The St. Juliana Catholic Church described as lots 17, 18, 19,
12 20, 21, and 22, block 3, Railroad addition to the city of Red Cloud,
13 Webster County, Nebraska;

14 (5) The Burlington Depot described as lots 10, 11, 12, and 13, block
15 19, Railroad addition to the city of Red Cloud, Webster County, Nebraska;
16 and

17 (6) The Antonia Farmhouse described as follows: Commencing at the
18 northeast corner of the southeast quarter of section 27, township 4
19 north, range 11 west of the sixth principal meridian, Webster County,
20 Nebraska, thence south 895 feet; thence west 155 feet to the point of
21 beginning; thence west a distance of 90 feet; thence south at a right
22 angle a distance of 137 feet; thence east at a right angle a distance of
23 90 feet; thence north a distance of 137 feet to the point of beginning.

24 Sec. 6. Original sections 82-129 and 82-130, Reissue Revised
25 Statutes of Nebraska, and section 13-2704.01, Revised Statutes Cumulative
26 Supplement, 2016, are repealed.

27 Sec. 7. Since an emergency exists, this act takes effect when
28 passed and approved according to law.