

LEGISLATIVE BILL 546

Approved by the Governor May 31, 2005

Introduced by Brown, 6; Bourne, 8; Burling, 33; Byars, 30; Cornett, 45; Foley, 29; Friend, 10; Hudkins, 21; Jensen, 20; Johnson, 37; Kopplin, 3; Kremer, 34; Mines, 18; Pahls, 31; Dw. Pedersen, 39; D. Pederson, 42; Price, 26; Schimek, 27; Smith, 48; Stuhr, 24; Thompson, 14; Wehrbein, 2

AN ACT relating to economic development; to adopt the Nebraska Opportunity Zone Act; to create the Nebraska Innovation Zone Commission; to provide powers and duties; and to provide a termination date.

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

Section 1. This act shall be known and may be cited as the Nebraska Opportunity Zone Act.

Sec. 2. The Legislature finds and declares that the area adjacent to the Interstate 80 corridor running through the entire length of Nebraska affords an excellent opportunity for business expansion, economic development, job creation, and education-business partnerships. The Legislature further declares that this opportunity is best realized through regional cooperation in which the communities, businesses, and educational entities in the corridor work together to pursue common goals within opportunity zones. The Department of Economic Development is encouraged to work with interested parties within the corridor to create opportunity zones similar to the one established in section 7 of this act.

Sec. 3. An opportunity zone commission shall advocate and recommend programs that encourage regional cooperation and foster community sustainability and economic development initiatives. The chairperson and vice-chairperson of a commission shall supervise the hiring of the executive director using the state personnel hiring process. The Department of Economic Development shall provide administrative and technical support to a commission. A commission may secure cooperation and assistance of and funding from other appropriate government and private-sector entities.

Sec. 4. An opportunity zone commission shall:

- (1) Define boundaries for the opportunity zone;
- (2) Focus attention on and increase awareness of the opportunities and needs in a particular region of Nebraska, referred to as the opportunity zone;
- (3) Advocate by proposing solutions to challenges faced in the opportunity zone;
- (4) Encourage and support continuity, coordination, and cooperation among national, state, multicomunity, and local economic development initiatives and service providers in the opportunity zone;
- (5) Serve as an advisory body to the Governor, state agencies, and the Legislature on economic development issues in the opportunity zone;
- (6) Establish an information clearinghouse on challenges and needs, development services, model initiatives, available resources, and service providers;
- (7) Foster multicomunity partnerships;
- (8) Foster regional marketing activities to promote the opportunity zone;
- (9) Study and develop recommendations for uniform county zoning within the opportunity zone; and
- (10) Accept contributions from member entities to fund the activities of the commission.

Sec. 5. An opportunity zone commission may:

- (1) Appoint nonvoting members, obtain advisors, create task forces composed of noncommission members, or engage in other appropriate activities necessary in completing the commission's duties;
- (2) Issue reports, recommendations, or other communications as deemed necessary by a majority of voting members of the commission;
- (3) Adopt operating procedures and guidelines; and
- (4) Engage in other activities relevant and appropriate to its purpose, duties, and powers.

In addition, the commission may receive or apply for and receive gifts, grants, contributions, and other funds from the federal government, private agencies, affiliated associations, and individuals and contract with public and private groups to conduct its business.

Sec. 6. On or before February 15 of each year, the executive

director of an opportunity zone commission shall transmit to the Governor and the Clerk of the Legislature an annual report which includes a summary of the commission's activities, recommendations for future economic development action in the opportunity zone, and an accounting of the source and use of funds disbursed during the previous fiscal year.

Sec. 7. (1) The Legislature finds an opportunity exists to develop high technology business between the Omaha and Lincoln business communities, the university system of the State of Nebraska, including the University of Nebraska-Lincoln, the University of Nebraska at Omaha, and the University of Nebraska Medical Center, and Sarpy County, including Offutt Air Force Base. The Legislature further finds that the cities of Lincoln and Omaha are moving toward designation as a single metropolitan statistical area for census purposes, possibly by the federal decennial census. Therefore, an opportunity zone commission should be established for eastern Nebraska.

(2) The Nebraska Innovation Zone Commission is created. The commission shall consist of the following members:

- (a) Three members appointed by the county board of Douglas County;
- (b) Two members appointed by the county board of Sarpy County;
- (c) Two members appointed by the county board of Lancaster County;
- (d) Two members appointed by the county board of Cass County;
- (e) One member appointed by the county board of Saunders County;
- (f) One member appointed by the county board of Washington County;
- (g) One member appointed by the city council of Omaha;
- (h) One member appointed by the city council of Lincoln;
- (i) One member representing cities of the first class within Douglas, Sarpy, Lancaster, Cass, Saunders, and Washington counties appointed by the other members of the commission;
- (j) One member representing cities of the second class and villages within Douglas, Sarpy, Lancaster, Cass, Saunders, and Washington counties appointed by the other members of the commission;
- (k) One member appointed by the Board of Regents of the University of Nebraska;
- (l) One member appointed by the community college areas;
- (m) One member appointed by the board of directors of the Pappas-Missouri River Natural Resources District; and
- (n) One member appointed by the board of directors of the Lower Platte South Natural Resources District.

(3) The chairperson and vice-chairperson of the commission shall be elected by a majority of the members of the commission at the first commission meeting and shall each serve a two-year term as chairperson and vice-chairperson, respectively. The commission shall meet at the call of the chairperson or a majority of the members. The chairperson shall call such meetings as he or she determines necessary to fulfill the duties of the commission. A quorum shall be one-half of the members. The members of the commission shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(4) The commission shall carry out the duties set forth in section 4 of this act as they relate to eastern Nebraska.

Sec. 8. The provisions of the Nebraska Opportunity Zone Act shall terminate on December 31, 2010.