

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 379

Introduced by Harr, 8.

Read first time January 13, 2017

Committee: Appropriations

1 A BILL FOR AN ACT relating to state funds; to amend sections 82-129 and
2 82-130, Reissue Revised Statutes of Nebraska, and section 81-3714,
3 Revised Statutes Cumulative Supplement, 2016; to state intent; to
4 create a fund; to transfer funds; to change provisions relating to
5 the Willa Cather historical buildings; to harmonize provisions; to
6 repeal the original sections; and to declare an emergency.

7 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 buildings and sites in Webster
5 County owned by the Nebraska State Historical Society and managed by the
6 Willa Cather Foundation;

7 (3) These buildings and sites provide irreplaceable historical value
8 to the ongoing interpretation of the significance of Cather;

9 (4) These buildings and sites also spur economic activity by means
10 of national and international tourism and annual literary conferences;

11 (5) Two buildings in particular, the Cather House described in
12 subdivision (1) of section 82-130 and the Antonia Farmhouse described in
13 subdivision (6) of section 82-130, are showing signs of serious decay and
14 are in need of major restoration efforts;

15 (6) These two buildings have profound historical significance for
16 the upcoming 2018 celebration of the centenary publication of Cather's
17 novel My Antonia; and

18 (7) It is the intent of the Legislature to preserve these buildings
19 for upcoming celebrations and for future generations.

20 Sec. 2. The Willa Cather Historical Building Cash Fund is created.
21 The fund shall be administered by the Nebraska State Historical Society.
22 The fund shall consist of funds transferred pursuant to section 81-3714
23 and money donated as gifts, bequests, or other contributions from public
24 or private entities. The fund shall be used to preserve and restore the
25 Cather House and the Antonia Farmhouse described in section 82-130. Money
26 transferred under section 81-3714 shall not be expended until nonstate
27 funds equal to one hundred percent of the funds are matched and received.
28 Matching funds may be from any nonstate source, including private
29 foundations, federal or local government sources, or quasi-governmental
30 entities, or any other funds whose source does not include funds
31 appropriated by the Legislature. Any money in the fund available for

1 investment shall be invested by the state investment officer pursuant to
2 the Nebraska Capital Expansion Act and the Nebraska State Funds
3 Investment Act.

4 Sec. 3. Section 81-3714, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 81-3714 The State Visitors Promotion Cash Fund is created. The fund
7 shall be administered by the commission. The fund shall consist of
8 revenue deposited into the fund pursuant to section 81-3715 and money
9 donated as gifts, bequests, or other contributions from public or private
10 entities. Funds made available by any department or agency of the United
11 States may also be credited to the fund if so directed by such department
12 or agency. The commission shall use the proceeds of the fund to generally
13 promote, encourage, and attract visitors to and within the State of
14 Nebraska, to erect and replace highway tourism markers, to enhance the
15 use of travel and tourism facilities within the state, to provide
16 marketing assistance grants to communities and organizations, and to
17 contract with the Department of Administrative Services to provide
18 support services to the commission, including, but not limited to,
19 accounting and personnel functions. The proceeds of the fund shall be in
20 addition to funds appropriated to the commission from the General Fund.
21 Any money in the State Visitors Promotion Cash Fund available for
22 investment shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act. On July 1, 2017, or as soon thereafter as
25 administratively possible, the State Treasurer shall transfer three
26 hundred thousand dollars from the State Visitors Promotion Cash Fund to
27 the Willa Cather Historical Building Cash Fund.

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

30 82-129 In 1978, the ~~The~~ Nebraska State Historical Society acquired
31 ~~may acquire~~, without cost to the state, clear title in the name of the

1 State of Nebraska to ~~all~~ the real and personal property as described in
2 section 82-130 of the Willa Cather Pioneer Memorial and Educational
3 Foundation, now known as the Willa Cather Foundation, ~~except~~ the
4 foundation's trust account and investments which are ~~shall be~~ retained by
5 the foundation. The Nebraska State Historical Society may enter into
6 agreements with the foundation ~~Willa Cather Pioneer Memorial and~~
7 ~~Educational Foundation~~ for the operation of the Willa Cather Center but
8 the society shall be responsible for the general administration and
9 continued maintenance of such property and may accept gifts, grants, and
10 bequests for such purposes.

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

13 82-130 The real property ~~of the Willa Cather Pioneer Memorial and~~
14 ~~Educational Foundation~~ authorized to be acquired pursuant to section
15 82-129 is more particularly described as follows:

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

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

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

23 (4) The St. Juliana Catholic Church described as lots 17, 18, 19,
24 20, 21, and 22, block 3, Railroad addition to the city of Red Cloud,
25 Webster County, Nebraska;

26 (5) The Burlington Depot described as lots 10, 11, 12, and 13, block
27 19, Railroad addition to the city of Red Cloud, Webster County, Nebraska;
28 and

29 (6) The Antonia Farmhouse described as follows: Commencing at the
30 northeast corner of the southeast quarter of section 27, township 4
31 north, range 11 west of the sixth principal meridian, Webster County,

1 Nebraska, thence south 895 feet; thence west 155 feet to the point of
2 beginning; thence west a distance of 90 feet; thence south at a right
3 angle a distance of 137 feet; thence east at a right angle a distance of
4 90 feet; thence north a distance of 137 feet to the point of beginning.

5 Sec. 6. Original sections 82-129 and 82-130, Reissue Revised
6 Statutes of Nebraska, and section 81-3714, Revised Statutes Cumulative
7 Supplement, 2016, are repealed.

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