

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 426
Final Reading

Introduced by Cornett, 45.

Read first time January 14, 2011

Committee: Revenue

A BILL

1 FOR AN ACT relating to political subdivisions; to amend section
2 13-2706, Revised Statutes Cumulative Supplement, 2010,
3 and section 13-3108, Revised Statutes Supplement, 2011;
4 to change provisions relating to eligibility for grants
5 under the Civic and Community Center Financing Act and
6 the Sports Arena Facility Financing Assistance Act; and
7 to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2706, Revised Statutes Cumulative
2 Supplement, 2010, is amended to read:

3 13-2706 (1) Except as provided in subsection (2) of this
4 section for a city of the primary class, any municipality that has
5 applied for and received a grant of assistance under the Sports Arena
6 Facility Financing Assistance Act shall not receive state assistance
7 under the Civic and Community Center Financing Act for the same
8 project for which the grant was awarded under the Sports Arena
9 Facility Financing Assistance Act.

10 (2) A city of the primary class shall not be eligible to
11 receive a grant of assistance from the Civic and Community Center
12 Financing Act if the city has applied for and received a grant of
13 assistance under the Sports Arena Facility Financing Assistance Act.

14 (3) Any city that has received funding under the
15 Convention Center Facility Financing Assistance Act shall not receive
16 state assistance under the Civic and Community Center Financing Act.

17 ~~Any municipality, except a city that has received funding~~
18 ~~under the Convention Center Facility Financing Assistance Act or the~~
19 ~~Sports Arena Facility Financing Assistance Act, (4) Any municipality~~
20 eligible for a grant of assistance as provided in this section may
21 apply for a grant of assistance from the fund. Application shall be
22 made on forms developed by the department.

23 Sec. 2. Section 13-3108, Revised Statutes Supplement,
24 2011, is amended to read:

25 13-3108 (1) Upon the annual certification under section

1 13-3107, the State Treasurer shall transfer after the audit the
2 amount certified to the Sports Arena Facility Support Fund which is
3 hereby created. Any money in the fund available for investment shall
4 be invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 (2)(a) It is the intent of the Legislature to appropriate
7 from the fund money to be distributed to any political subdivision
8 for which an application for state assistance under the Sports Arena
9 Facility Financing Assistance Act has been approved an amount not to
10 exceed seventy percent of the (i) state sales tax revenue collected
11 by retailers doing business at eligible sports arena facilities on
12 sales at such facilities, (ii) state sales tax revenue collected on
13 primary and secondary box office sales of admissions to such
14 facilities, and (iii) new state sales tax revenue collected by nearby
15 retailers and sourced under sections 77-2703.01 to 77-2703.04 to a
16 location within six hundred yards of the eligible facility.

17 (b) The amount to be appropriated for distribution as
18 state assistance to a political subdivision under this subsection for
19 any one year after the tenth year shall not exceed the highest such
20 amount appropriated under subdivision (2)(a) of this section during
21 any one year of the first ten years of such appropriation. If seventy
22 percent of the state sales tax revenue as described in subdivision
23 (2)(a) of this section exceeds the amount to be appropriated under
24 this subdivision, such excess funds shall be transferred to the
25 General Fund.

1 (3) The total amount of state assistance approved for an
2 eligible sports arena facility shall not (a) exceed fifty million
3 dollars or (b) be paid out for more than twenty years after the
4 issuance of the first bond for the sports arena facility.

5 (4) State assistance to the political subdivision shall
6 no longer be available upon the retirement of the bonds issued to
7 acquire, construct, improve, or equip the facility or any subsequent
8 bonds that refunded the original issue or when state assistance
9 reaches the amount determined under subsection (3) of this section,
10 whichever comes first.

11 (5) State assistance shall not be used for an operating
12 subsidy or other ancillary facility.

13 (6) The thirty percent of state sales tax revenue
14 remaining after the appropriation and transfer in subsection (2) of
15 this section shall be appropriated by the Legislature to the Civic
16 and Community Center Financing Fund.

17 (7) ~~Any~~ Except as provided in subsection (8) of this
18 section for a city of the primary class, any municipality that has
19 applied for and received a grant of assistance under the Civic and
20 Community Center Financing Act shall not receive state assistance
21 under the Sports Arena Facility Financing Assistance Act for the same
22 project for which the grant was awarded under the Civic and Community
23 Center Financing Act.

24 (8) A city of the primary class shall not be eligible to
25 receive a grant of assistance from the Civic and Community Center

1 Financing Act if the city has applied for and received a grant of
2 assistance under the Sports Arena Facility Financing Assistance Act.

3 Sec. 3. Original section 13-2706, Revised Statutes
4 Cumulative Supplement, 2010, and section 13-3108, Revised Statutes
5 Supplement, 2011, are repealed.