

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 940

FINAL READING

Introduced by Friesen, 34.

Read first time January 09, 2018

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to the Civic and Community Center Financing
2 Act; to amend sections 13-2703, 13-2704.01, and 13-2707, Revised
3 Statutes Cumulative Supplement, 2016, and section 13-2705, Revised
4 Statutes Supplement, 2017; to redefine terms; to expand the use of
5 the Civic and Community Center Financing Fund; to change grant
6 request limits as prescribed; to provide a restriction on the sale
7 of certain municipally owned centers; to provide priority for
8 certain grant applications as prescribed; to repeal the original
9 sections; and to declare an emergency.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 13-2703, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 13-2703 For purposes of the Civic and Community Center Financing
4 Act:

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

7 (2) Community center means property that is owned by a municipality
8 and located within the traditional center of a community, typically
9 comprised of a cohesive core of residential, civic, religious, and
10 commercial buildings, arranged around a main street and intersecting
11 streets;

12 (3) Department means the Department of Economic Development;

13 (4) Fund means the Civic and Community Center Financing Fund;

14 (5) Historic building or district means a building or district
15 eligible for listing on or currently listed on the National Register of
16 Historic Places; and

17 (6) Recreation center means a facility or park used for athletics,
18 fitness, sport activities, or recreation that is owned by a municipality
19 and is available for use by the general public with or without charge.
20 Recreation center does not include any facility that requires a person to
21 purchase a membership to utilize such facility.

22 Sec. 2. Section 13-2704.01, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 13-2704.01 (1) The department shall use the fund to provide grants
25 of assistance for the following purposes:

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

29 (b) To assist in the conversion, rehabilitation, or reuse of
30 historic buildings or districts; or

31 (c) To upgrade community centers, including the demolition of

1 substandard and abandoned buildings.

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

4 Sec. 3. Section 13-2705, Revised Statutes Supplement, 2017, is
5 amended to read:

6 13-2705 The department may conditionally approve grants of
7 assistance from the fund to eligible and competitive applicants within
8 the following limits:

9 (1) Except as provided in subdivision (2) of this section, a grant
10 request shall be in an amount meeting the following requirements:

11 (a) For a grant of assistance under section 13-2704.01, at least
12 fifteen ~~ten~~ thousand dollars but no more than:

13 (i) For a city of the primary class, two ~~one~~ million two ~~five~~
14 hundred fifty thousand dollars;

15 (ii) For a city with a population of more than forty thousand but
16 less than one hundred thousand inhabitants as determined by the most
17 recent federal decennial census or the most recent revised certified
18 count by the United States Bureau of the Census, one million one hundred
19 twenty-five ~~seven hundred fifty~~ thousand dollars;

20 (iii) For a city with a population of more than twenty thousand but
21 less than forty thousand inhabitants as determined by the most recent
22 federal decennial census or the most recent revised certified count by
23 the United States Bureau of the Census, seven hundred fifty ~~five hundred~~
24 thousand dollars;

25 (iv) For a city with a population of more than ten thousand but less
26 than twenty thousand inhabitants as determined by the most recent federal
27 decennial census or the most recent revised certified count by the United
28 States Bureau of the Census, six ~~four~~ hundred thousand dollars; and

29 (v) For a municipality with a population of less than ten thousand
30 inhabitants as determined by the most recent federal decennial census or
31 the most recent revised certified count by the United States Bureau of

1 the Census, three ~~two~~ hundred seventy-five ~~fifty~~ thousand dollars; and

2 (b) For a grant of assistance under section 13-2704.02, at least
3 three ~~two~~ thousand dollars but no more than fifteen ~~ten~~ thousand dollars;

4 (2) Upon the balance of the fund reaching three ~~two~~ million seven
5 hundred fifty thousand dollars, and until the balance of the fund
6 falls below one million five hundred thousand dollars, a grant request
7 shall be in an amount meeting the following requirements:

8 (a) For a grant of assistance under section 13-2704.01, at least
9 fifteen ~~ten~~ thousand dollars but no more than:

10 (i) For a city of the primary class, three ~~two~~ million three ~~two~~
11 hundred seventy-five ~~fifty~~ thousand dollars;

12 (ii) For a city with a population of more than forty thousand but
13 less than one hundred thousand inhabitants as determined by the most
14 recent federal decennial census or the most recent revised certified
15 count by the United States Bureau of the Census, one million six ~~one~~
16 hundred eighty-seven ~~twenty-five~~ thousand dollars;

17 (iii) For a city with a population of more than twenty thousand but
18 less than forty thousand inhabitants as determined by the most recent
19 federal decennial census or the most recent revised certified count by
20 the United States Bureau of the Census, one million one ~~seven~~ hundred
21 twenty-five ~~fifty~~ thousand dollars;

22 (iv) For a city with a population of more than ten thousand but less
23 than twenty thousand inhabitants as determined by the most recent federal
24 decennial census or the most recent revised certified count by the United
25 States Bureau of the Census, nine ~~six~~ hundred thousand dollars; and

26 (v) For a municipality with a population of less than ten thousand
27 inhabitants as determined by the most recent federal decennial census or
28 the most recent revised certified count by the United States Bureau of
29 the Census, five ~~three~~ hundred sixty-two ~~seventy-five~~ thousand dollars;
30 and

31 (b) For a grant of assistance under section 13-2704.02, at least

- 1 ~~three~~ ~~two~~ thousand dollars but no more than fifteen ~~ten~~ thousand dollars;
- 2 (3) Assistance from the fund shall not amount to more than fifty
- 3 percent of the cost of the project for which a grant is requested;~~and~~
- 4 (4) A municipality shall not be awarded more than one grant of
- 5 assistance under section 13-2704.01 and one grant of assistance under
- 6 section 13-2704.02 in any two-year ~~five-year~~ period; ~~and~~ -
- 7 (5) A municipality shall not sell any civic, community, or
- 8 recreation center that received grant funds for at least five years under
- 9 the Civic and Community Center Financing Act.

10 Sec. 4. Section 13-2707, Revised Statutes Cumulative Supplement,

11 2016, is amended to read:

12 13-2707 (1) The department shall evaluate all applications for

13 grants of assistance under section 13-2704.01 based on the following

14 criteria, which are listed in no particular order of preference:

15 (a) Retention Impact. Funding decisions by the department shall be

16 based on the likelihood of the project retaining existing residents in

17 the community where the project is located, developing, sustaining, and

18 fostering community connections, and enhancing the potential for economic

19 growth in a manner that will sustain the quality of life and promote

20 long-term economic development;

21 (b) New Resident Impact. Funding decisions by the department shall

22 be based on the likelihood of the project attracting new residents to the

23 community where the project is located;

24 (c) Visitor Impact. Funding decisions by the department shall be

25 based on the likelihood of the project enhancing or creating an

26 attraction that would increase the potential of visitors to the community

27 where the project is located from inside and outside the state;

28 (d) Readiness. The applicant's fiscal and economic capacity to

29 finance the local share and ability to proceed and implement its plan and

30 operate the civic center, community center, or recreation center; and

31 (e) Project Planning. Projects with completed technical assistance

1 and feasibility studies shall be preferred to those with no prior
2 planning.

3 (2) The department shall give priority to applications from
4 municipalities which have not received a grant of assistance under
5 section 13-2704.01 within the last ten years.

6 (3) ~~(2)~~ Any grant of assistance under section 13-2704.01 shall be
7 matched at least equally from local sources. At least fifty percent of
8 the local match must be in cash.

9 (4) ~~(3)~~ To receive a grant of assistance under section 13-2704.01,
10 the project for which the grant is requested shall be located in the
11 municipality that applies for the grant.

12 Sec. 5. Original sections 13-2703, 13-2704.01, and 13-2707, Revised
13 Statutes Cumulative Supplement, 2016, and section 13-2705, Revised
14 Statutes Supplement, 2017, are repealed.

15 Sec. 6. Since an emergency exists, this act takes effect when
16 passed and approved according to law.