

## LEGISLATIVE BILL 379

Approved by the Governor April 04, 2018

Introduced by Harr, 8.

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

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

Section 1. The Legislature finds and declares that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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