

LEGISLATIVE BILL 940

Approved by the Governor April 11, 2018

Introduced by Friesen, 34.

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

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

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

- (1) Civic center means a facility that is primarily used to host conventions, meetings, and cultural events and a library;
- (2) Community center means property that is owned by a municipality and located within the traditional center of a community, typically comprised of a cohesive core of residential, civic, religious, and commercial buildings, arranged around a main street and intersecting streets;
- (3) Department means the Department of Economic Development;
- (4) Fund means the Civic and Community Center Financing Fund;
- (5) Historic building or district means a building or district eligible for listing on or currently listed on the National Register of Historic Places; and

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

Sec. 2. 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 districts; or
- (c) 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. 3. Section 13-2705, Revised Statutes Supplement, 2017, is amended to read:

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

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

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

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

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

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

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

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

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

(2) Upon the balance of the fund reaching three ~~two~~ million seven ~~five~~ hundred fifty thousand dollars, and until the balance of the fund falls below

one million five hundred thousand dollars, a grant request shall be in an amount meeting the following requirements:

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

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

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

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

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

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

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

(3) Assistance from the fund shall not amount to more than fifty percent of the cost of the project for which a grant is requested; ~~and~~

(4) A municipality shall not be awarded more than one grant of assistance under section 13-2704.01 and one grant of assistance under section 13-2704.02 in any two-year five-year period; and -

(5) A municipality shall not sell any civic, community, or recreation center that received grant funds for at least five years under the Civic and Community Center Financing Act.

Sec. 4. Section 13-2707, Revised Statutes Cumulative Supplement, 2016, is amended to read:

13-2707 (1) The department shall evaluate all applications for grants of assistance under section 13-2704.01 based on the following criteria, which are listed in no particular order of preference:

(a) Retention Impact. Funding decisions by the department shall be based on the likelihood of the project retaining existing residents in the community where the project is located, developing, sustaining, and fostering community connections, and enhancing the potential for economic growth in a manner that will sustain the quality of life and promote long-term economic development;

(b) New Resident Impact. Funding decisions by the department shall be based on the likelihood of the project attracting new residents to the community where the project is located;

(c) Visitor Impact. Funding decisions by the department shall be based on the likelihood of the project enhancing or creating an attraction that would increase the potential of visitors to the community where the project is located from inside and outside the state;

(d) Readiness. The applicant's fiscal and economic capacity to finance the local share and ability to proceed and implement its plan and operate the civic center, community center, or recreation center; and

(e) Project Planning. Projects with completed technical assistance and feasibility studies shall be preferred to those with no prior planning.

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

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

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

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

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