

AMENDMENTS TO LB 153

Introduced by Revenue

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 13-2701, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 13-2701 Sections 13-2701 to 13-2710 and sections 5, 6,
6 and 9 of this act shall be known and may be cited as the Civic and
7 Community Center Financing Act.

8 Sec. 2. Section 13-2702, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 13-2702 The purpose of the Civic and Community Center
11 Financing Act is to support the development of civic, and
12 community, and recreation centers throughout Nebraska. Furthermore,
13 the act is intended to support projects that foster maintenance or
14 growth of communities.

15 Sec. 3. Section 13-2703, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 13-2703 For purposes of the Civic and Community Center
18 Financing Act:

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

21 (2) Community center means the traditional center of a
22 community, typically comprised of a cohesive core of residential,
23 civic, religious, and commercial buildings, arranged around a main

1 street and intersecting streets;

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

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

6 (5) Historic building means a building eligible for
7 listing on or currently listed on the National Register of Historic
8 Places; and-

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

15 Sec. 4. Section 13-2704, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 13-2704 (1) The Civic and Community Center Financing Fund
18 is created. The fund shall be administered by the department.
19 ~~Transfers may be made from the fund to the General Fund at the~~
20 ~~direction of the Legislature.~~ Any money in the Civic and Community
21 Center Financing Fund fund available for investment shall be
22 invested by the state investment officer pursuant to the Nebraska
23 Capital Expansion Act and the Nebraska State Funds Investment Act.
24 ~~The fund may be used for assistance for the construction of new~~
25 ~~civic centers, the renovation or expansion of existing civic or~~
26 ~~community centers, or the conversion, rehabilitation, or reuse of~~
27 ~~historic buildings for purposes consistent with this section. The~~

1 ~~fund may not be used for programming, marketing, advertising, and~~
2 ~~related activities.~~ Transfers may be made from the fund to the
3 General Fund, the Department of Revenue Enforcement Fund, and to
4 the State Colleges Sport Facilities Cash Fund at the direction of
5 the Legislature.

6 ~~(2) It is the intent of the Legislature that on July~~
7 ~~1, 2011, or as soon thereafter as is administratively possible~~
8 ~~the State Treasurer shall transfer forty-two thousand nine hundred~~
9 ~~dollars from the Civic and Community Center Financing Fund to the~~
10 ~~Department of Revenue Enforcement Fund.~~

11 (2) (a) The department shall use the Civic and Community
12 Center Financing Fund for the following purposes:

13 (i) For grants of assistance as described in section 5 of
14 this act;

15 (ii) For grants of assistance as described in section 6
16 of this act; and

17 (iii) For reasonable and necessary costs of the
18 department directly related to the administration of the fund,
19 not to exceed the amount needed to employ a one-half full-time
20 equivalent employee.

21 (b) The fund may not be used for programming, marketing,
22 advertising, or facility-staffing activities.

23 (3) The State Treasurer shall transfer two hundred fifty
24 thousand dollars from the Civic and Community Center Financing
25 Fund to the State Colleges Sport Facilities Cash Fund on October
26 1 of 2012, 2013, and 2014. Commencing October 1, 2015, and every
27 year thereafter, the State Treasurer shall transfer four hundred

1 thousand dollars from the Civic and Community Center Financing Fund
2 to the State Colleges Sport Facilities Cash Fund.

3 Sec. 5. (1) The department shall use the fund to provide
4 grants of assistance for the following purposes:

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

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

10 (c) To upgrade community centers, including the
11 demolition of substandard and abandoned buildings.

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

15 Sec. 6. (1) The department shall use the fund to provide
16 grants of assistance for engineering and technical studies directly
17 related to projects described in section 5 of this act.

18 (2) Applications for grants of assistance pursuant to
19 this section shall be evaluated by the department pursuant to
20 section 9 of this act.

21 Sec. 7. Section 13-2705, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 13-2705 The department may conditionally approve grants
24 of assistance from the fund to eligible and competitive applicants
25 within the following limits:

26 (1) Except as provided in subdivision (2) of this
27 section, a grant request shall be ~~at~~ in an amount meeting the

1 following requirements:

2 (a) For a grant of assistance under section 5 of this
3 act, at least ten thousand dollars but no more than:

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

6 ~~(b)~~ (ii) For a municipality with a population of forty
7 thousand but less than one hundred thousand, seven hundred fifty
8 thousand dollars;

9 ~~(c)~~ (iii) For a municipality with a population of twenty
10 thousand but less than forty thousand, five hundred thousand
11 dollars;

12 ~~(d)~~ (iv) For a municipality with a population of ten
13 thousand but less than twenty thousand, four hundred thousand
14 dollars; and

15 ~~(e)~~ (v) For a municipality with a population of less than
16 ten thousand, two hundred fifty thousand dollars; and

17 (b) For a grant of assistance under section 6 of this
18 act, at least two thousand dollars but no more than ten thousand
19 dollars;

20 (2) Upon the balance of the fund reaching two million
21 five hundred thousand dollars, and until the balance of the fund
22 falls below one million dollars, a grant request shall be ~~at~~ in an
23 amount meeting the following requirements:

24 (a) For a grant of assistance under section 5 of this
25 act, at least ten thousand dollars but no more than:

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

1 ~~(b)~~ (ii) For a municipality with a population of forty
2 thousand but less than one hundred thousand, one million one
3 hundred twenty-five thousand dollars;

4 ~~(c)~~ (iii) For a municipality with a population of twenty
5 thousand but less than forty thousand, seven hundred fifty thousand
6 dollars;

7 ~~(d)~~ (iv) For a municipality with a population of ten
8 thousand but less than twenty thousand, six hundred thousand
9 dollars; and

10 ~~(e)~~ (v) For a municipality with a population of less than
11 ten thousand, three hundred seventy-five thousand dollars; and

12 (b) For a grant of assistance under section 6 of this
13 act, at least two thousand dollars but no more than ten thousand
14 dollars;

15 (3) Assistance from the fund shall not amount to more
16 than fifty percent of the cost of ~~construction, renovation, or~~
17 ~~expansion;~~ the project for which a grant is requested; and

18 (4) A municipality shall not be awarded more than one
19 grant of assistance under section 5 of this act and one grant of
20 assistance under section 6 of this act in any five-year period.

21 Sec. 8. Section 13-2707, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 13-2707 (1) The department shall evaluate all
24 applications for grants of assistance under section 5 of this act
25 based on the following criteria, which are listed in no particular
26 order of preference:

27 ~~(1) Attraction impact. Funding decisions by the~~

1 department shall be based in part on the likelihood of the project
2 attracting new civic or community activity to Nebraska from outside
3 of Nebraska. A project with greater out-of-state draw shall be
4 preferred over a project with less impact;

5 ~~(2) Socioeconomic impact. The project's potential for~~
6 ~~long-term positive impacts on the local and regional economy and~~
7 ~~society;~~

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

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

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

24 ~~(3) Financial support. Assistance from the fund shall be~~
25 ~~matched at least equally from local sources. At least fifty percent~~
26 ~~of the local match must be in cash. Projects with a higher level of~~
27 ~~local matching funds shall be preferred as compared to those with a~~

1 ~~lower level of matching funds;~~

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

6 ~~(5) Project location.~~ A project shall be located in the
7 municipality that applies for the grant; and

8 ~~(6) (e) Project planning.~~ Projects with completed
9 technical assistance and feasibility studies shall be preferred to
10 those with no prior planning.

11 (2) Any grant of assistance under section 5 of this act
12 shall be matched at least equally from local sources. At least
13 fifty percent of the local match must be in cash.

14 (3) To receive a grant of assistance under section 5 of
15 this act, the project for which the grant is requested shall be
16 located in the municipality that applies for the grant.

17 Sec. 9. The department shall evaluate all applications
18 for grants of assistance under section 6 of this act based on the
19 following criteria:

20 (1) Financial support. Assistance from the fund shall be
21 matched at least equally from local sources. At least fifty percent
22 of the local match must be in cash. Projects with a higher level of
23 local matching funds shall be preferred as compared to those with a
24 lower level of matching funds; and

25 (2) Project location. Assistance from the fund shall be
26 for engineering and technical studies related to projects that will
27 be located in the municipality that applies for the grant.

1 Sec. 10. Section 13-2709, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 13-2709 The department shall submit, as part of the
4 department's annual status report under section 81-1201.11, the
5 following information regarding the Civic and Community Center
6 Financing Act:

7 (1) Information documenting the grants conditionally
8 approved for funding by the Legislature in the following fiscal
9 year;--

10 (2) Reasons why a full application was not sent to any
11 municipality seeking assistance under the act;

12 (3) The amount of sales tax revenue generated for the
13 fund pursuant to subsection (4) of section 13-2610 and subsection
14 (6) of section 13-3108, the total amount of grants applied for
15 under the act, the year-end fund balance, and, if all available
16 funds have not been committed to funding grants under the act, an
17 explanation of the reasons why all such funds have not been so
18 committed;

19 (4) The amount of appropriated funds actually expended by
20 the department for the year;

21 (5) The department's current budget for administration
22 of the act and the department's planned use and distribution of
23 funds, including details on the amount of funds to be expended on
24 grants and the amount of funds to be expended by the department for
25 administrative purposes; and

26 (6) Grant summaries, including the applicant
27 municipality, project description, grant amount requested,

1 amount and type of matching funds, and reasons for approval or
2 denial based on evaluation criteria from section 13-2707 or section
3 9 of this act for every application seeking assistance under the
4 act.

5 Sec. 11. Original sections 13-2701, 13-2702, 13-2703,
6 13-2704, 13-2705, 13-2707, and 13-2709, Reissue Revised Statutes of
7 Nebraska, are repealed.