

AMENDMENTS TO LB564

Introduced by Urban Affairs.

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

3           Section 1. Section 13-2702, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5           13-2702 The purpose of the Civic and Community Center Financing Act  
6 is to support the development of civic centers, historic buildings or  
7 districts, public spaces ~~community~~, and recreation centers throughout  
8 Nebraska. Furthermore, the act is intended to support projects that  
9 foster maintenance or growth of communities.

10          Sec. 2. Section 13-2703, Revised Statutes Cumulative Supplement,  
11 2018, is amended to read:

12          13-2703 For purposes of the Civic and Community Center Financing  
13 Act:

14          (1) Civic center means a facility that is ~~primarily~~ used to host  
15 conventions, meetings, and cultural events or ~~and~~ a library;

16          ~~(2) Community center means property that is owned by a municipality~~  
17 ~~and located within the traditional center of a community, typically~~  
18 ~~comprised of a cohesive core of residential, civic, religious, and~~  
19 ~~commercial buildings, arranged around a main street and intersecting~~  
20 ~~streets;~~

21          (2) ~~(3)~~ Department means the Department of Economic Development;

22          (3) Eligible facility means any civic center, historic building or  
23 district, public space, or recreation center;

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

25          (5) Historic building or district means a building or district  
26 eligible for listing on or currently listed on the National Register of  
27 Historic Places or a building that is certified as contributing to the

1 significance of a registered state or national historic district;~~and~~

2 (6) Political subdivision means a county, school district, community  
3 college area, or natural resources district;

4 (7) Public space means property located within the traditional  
5 center of a community, typically comprised of a cohesive core of  
6 residential, civic, religious, and commercial buildings, arranged around  
7 a main street and intersecting streets; and

8 (8) (6) Recreation center means a facility or park used for  
9 athletics, fitness, sport activities, or recreation that is owned by a  
10 municipality and is available for use by the general public with or  
11 without charge. Recreation center does not include any facility that  
12 requires a person to purchase a membership to utilize such facility.

13 Sec. 3. Section 13-2704, Revised Statutes Cumulative Supplement,  
14 2018, is amended to read:

15 13-2704 (1) The Civic and Community Center Financing Fund is  
16 created. The fund shall be administered by the department. Any money in  
17 the fund available for investment shall be invested by the state  
18 investment officer pursuant to the Nebraska Capital Expansion Act and the  
19 Nebraska State Funds Investment Act. Transfers may be made from the fund  
20 to the General Fund, the Department of Revenue Enforcement Fund, and the  
21 State Colleges Sport Facilities Cash Fund at the direction of the  
22 Legislature.

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

25 (i) For grants of assistance as described in section 13-2704.01;

26 (ii) For grants of assistance as described in section 13-2704.02;

27 and

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

31 (b) Grants of assistance shall ~~The fund may~~ not be used for

1 programming, marketing, advertising, or facility-staffing activities.

2 (3) The State Treasurer shall transfer two hundred fifty thousand  
3 dollars from the Civic and Community Center Financing Fund to the State  
4 Colleges Sport Facilities Cash Fund on October 1 of 2012, 2013, and 2014.  
5 Commencing October 1, 2015, and every year thereafter, the State  
6 Treasurer shall transfer three hundred thousand dollars from the Civic  
7 and Community Center Financing Fund to the State Colleges Sport  
8 Facilities Cash Fund.

9 Sec. 4. Section 13-2704.01, Revised Statutes Cumulative Supplement,  
10 2018, is amended to read:

11 13-2704.01 (1) The department shall use the fund to provide grants  
12 of assistance for the following purposes:

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

16 (b) To assist in the preservation, restoration, conversion,  
17 rehabilitation, or reuse of historic buildings or districts; or

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

21 (c) (d) To assist in the construction or upgrade of public spaces  
22 community centers, including the demolition of substandard and abandoned  
23 buildings.

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

26 Sec. 5. Section 13-2705, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 13-2705 The department may conditionally approve grants of  
29 assistance from the fund to eligible and competitive applicants subject  
30 to within the following limits and requirements:

31 (1) Except as provided in subdivision (2) of this section, a grant

1 request shall be in an amount meeting the following requirements:

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

4 (i) For a city of the primary class, two million two hundred fifty  
5 thousand dollars;

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

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

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

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

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

27 (2) Upon the balance of the fund reaching three million seven  
28 hundred fifty thousand dollars, and until the balance of the fund falls  
29 below one million five hundred thousand dollars, a grant request shall be  
30 in an amount meeting the following requirements:

31 (a) For a grant of assistance under section 13-2704.01, at least

1 fifteen thousand dollars but no more than:

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

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

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

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

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

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

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

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

30 (5) Any eligible facility for which a grant of assistance under  
31 section 13-2704.01 is made shall not be sold for at least five years

1 ~~following the award of such grant of assistance; and A municipality shall~~  
2 ~~not sell any civic, community, or recreation center that received grant~~  
3 ~~funds for at least five years under the Civic and Community Center~~  
4 ~~Financing Act.~~

5 (6) Upon receipt of any application for a grant of assistance to  
6 assist in the preservation, restoration, conversion, rehabilitation, or  
7 reuse of a historic building or district, the department shall notify the  
8 State Historic Preservation Officer of such application. The State  
9 Historic Preservation Officer shall evaluate the work proposed in such  
10 application to determine whether it conforms to the Secretary of the  
11 Interior's Standards for the Treatment of Historic Properties and shall  
12 notify the department of the determination. If the work does not conform  
13 to such standards, the department shall not award a grant of assistance  
14 for such application.

15 Sec. 6. Section 13-2707, Revised Statutes Cumulative Supplement,  
16 2018, is amended to read:

17 13-2707 (1) The department shall evaluate all applications for  
18 grants of assistance under section 13-2704.01 based on the following  
19 criteria, which are listed in no particular order of preference:

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

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

29 (c) Visitor Impact. Funding decisions by the department shall be  
30 based on the likelihood of the project enhancing or creating an  
31 attraction that would increase the potential of visitors to the community

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

2 (d) Readiness. The ~~applicant's fiscal, and economic, and operational~~  
3 ~~capacity of the applicant, and of any political subdivision that owns the~~  
4 ~~eligible facility jointly with the applicant, to finance and manage the~~  
5 ~~project the local share and ability to proceed and implement its plan and~~  
6 ~~to operate the eligible facility civic center, community center, or~~  
7 ~~recreation center; and~~

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

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

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

17 (4) To receive a grant of assistance under section 13-2704.01, the  
18 project for which the grant is requested shall be located in the  
19 municipality that applies for the grant or, for any city of the first  
20 class, city of the second class, or village, within the municipality's  
21 extraterritorial zoning jurisdiction.

22 (5) To receive a grant of assistance under section 13-2704.01, the  
23 project for which the grant is requested shall involve an eligible  
24 facility that is owned by the municipality applying for the grant, except  
25 that a municipality may own an eligible facility jointly with a political  
26 subdivision if the municipality's ownership interest in such eligible  
27 facility is at least fifty percent. In any case, the municipality shall  
28 be the applicant for the grant of assistance.

29 Sec. 7. Section 13-2707.01, Revised Statutes Cumulative Supplement,  
30 2018, is amended to read:

31 13-2707.01 The department shall evaluate all applications for grants

1 of assistance under section 13-2704.02 based on the following criteria:

2 (1) Financial Support. Assistance from the fund shall be matched at  
3 least equally from local sources. At least fifty percent of the local  
4 match must be in cash. Projects with a higher level of local matching  
5 funds shall be preferred as compared to those with a lower level of  
6 matching funds; and

7 (2) Project Location. Assistance from the fund shall be for  
8 engineering and technical studies related to projects that will be  
9 located in the municipality that applies for the grant or, for any city  
10 of the first class, city of the second class, or village, in the  
11 municipality's extraterritorial zoning jurisdiction.

12 Sec. 8. Original sections 13-2702, 13-2703, 13-2704, 13-2704.01,  
13 13-2705, 13-2707, and 13-2707.01, Revised Statutes Cumulative Supplement,  
14 2018, are repealed.