

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 808

Introduced by Hansen, 26; Crawford, 45.

Read first time January 07, 2016

Committee:

- 1 A BILL FOR AN ACT relating to the Local Option Municipal Economic
- 2 Development Act; to amend section 18-2714, Reissue Revised Statutes
- 3 of Nebraska; to change provisions relating to amending an economic
- 4 development program; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-2714, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-2714 (1) After approval by the voters of an economic development
4 program, the governing body of the city shall, within forty-five days
5 after such approval, establish the economic development program by
6 ordinance in conformity with the terms of such program as set out in the
7 original enabling resolution.

8 (2) After the adoption of the ordinance establishing the economic
9 development program, such ordinance shall only be amended ~~(a) to conform~~
10 ~~to the provisions of any existing or future state or federal law or (b)~~
11 after the governing body of the city (a) gives notice of and holds , at
12 least one public hearing on the proposed changes, (b) approves the
13 proposed changes by and a two-thirds vote of the members of such the
14 governing body, and (c) except as provided in subsection (3) of this
15 section, submits the proposed changes to a new vote of the registered
16 voters of the city in the manner provided in section 18-2713 of the city,
17 when necessary to accomplish the purposes of the original enabling
18 resolution.

19 (3) ~~A The governing body of a city shall not amend the economic~~
20 ~~development program so as to fundamentally alter its basic structure or~~
21 ~~goals, either with regard to the qualifying businesses that are eligible~~
22 ~~to participate, the local sources of revenue used to fund the program,~~
23 ~~the uses of the funds collected, or the basic terms set out in the~~
24 ~~original enabling resolution, without submitting the proposed changes to~~
25 ~~a new vote of the registered voters of the city is not required for the~~
26 following types of amendments to an economic development program: in the
27 manner provided for in section 18-2713.

28 (a) An amendment adding a type of qualifying business to those that
29 are eligible to participate in the economic development program or
30 removing a type of qualifying business from those that are eligible to
31 participate in such program if such addition or removal is recommended by

1 the citizen advisory review committee established under section 18-2715;

2 (b) An amendment making corrective changes to comply with the Local
3 Option Municipal Economic Development Act; or

4 (c) An amendment making corrective changes to comply with any other
5 existing or future state or federal law.

6 (4) The governing body of a city may, at any time after the adoption
7 of the ordinance establishing the economic development program, by a two-
8 thirds vote of the members of the governing body, repeal the ordinance in
9 its entirety and end the economic development program, subject only to
10 the provisions of any existing contracts relating to such program and the
11 rights of any third parties arising from those contracts. Prior to such
12 vote by the governing body, it shall publish notice of its intent to
13 consider the repeal and hold a public hearing on the issue. Any funds in
14 the custody of the city for such economic development program which are
15 not spent or committed at the time of the repeal and any funds to be
16 received in the future from the prior operation of the economic
17 development program shall be placed into the general fund of the city.

18 Sec. 2. Original section 18-2714, Reissue Revised Statutes of
19 Nebraska, is repealed.