

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1024

Introduced by Wayne, 13; McKinney, 11.

Read first time January 13, 2022

Committee:

- 1 A BILL FOR AN ACT relating to municipalities; to adopt the North Omaha
- 2 Recovery Act; to create a fund; to state legislative intent for
- 3 appropriations; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 6 of this act shall be known and may be
2 cited as the North Omaha Recovery Act.

3 Sec. 2. The Legislature finds that:

4 (1) The COVID-19 public health emergency has caused widespread
5 economic, social, and public health-related turmoil that deepened
6 existing disparities;

7 (2) The social and economic challenges caused and exacerbated by the
8 COVID-19 public health emergency include high unemployment, wage
9 decreases, increased homelessness, and food insecurity;

10 (3) The impact of the COVID-19 public health emergency and related
11 challenges were disproportionately felt in low-income and minority
12 communities such as North Omaha;

13 (4) The social and economic challenges in North Omaha have persisted
14 for multiple generations, partially fueled by past racial segregation and
15 the historical practice known as redlining;

16 (5) Funding under the federal American Rescue Plan Act of 2021
17 presents a once-in-a-lifetime opportunity to respond to the challenges
18 facing North Omaha that have been worsened by the COVID-19 public health
19 emergency; and

20 (6) Federal guidance issued by the United States Department of the
21 Treasury has identified qualified census tracts as areas in which certain
22 activities and investments will be deemed presumptively eligible for the
23 use of funds under the federal American Rescue Plan Act of 2021.

24 Sec. 3. For purposes of the North Omaha Recovery Act, qualified
25 census tract means a qualified census tract as defined in 26 U.S.C. 42(d)
26 (5)(B)(ii)(I), as such section existed on January 1, 2022.

27 Sec. 4. (1) The North Omaha Recovery Special Committee of the
28 Legislature is established as a special committee of the Legislature to
29 exercise the powers and perform the duties provided in the North Omaha
30 Recovery Act. The special legislative committee shall consist of no fewer
31 than five members of the Legislature as determined by the Executive Board

1 of the Legislative Council. The special legislative committee shall
2 consist of the chairperson of the Urban Affairs Committee of the
3 Legislature, who shall serve as chairperson of the special legislative
4 committee, the Speaker of the Legislature, the chairperson of the
5 Appropriations Committee of the Legislature or his or her designee, and
6 at least two other members of the Legislature appointed by the executive
7 board. The appointed members of the special legislative committee shall
8 be members who represent legislative districts containing one or more
9 qualified census tracts located within the boundaries of a city of the
10 metropolitan class.

11 (2) The Executive Board of the Legislative Council shall provide
12 staff as required by the special legislative committee from existing
13 legislative staff. In addition, the special legislative committee may
14 hire additional staff, make expenditures for travel, and enter into
15 contracts for services related to the duties of the special legislative
16 committee. The contracts shall be based on competitive bids and subject
17 to approval of the executive board upon the recommendation of a majority
18 of the members of the special legislative committee.

19 (3) The special legislative committee may hold hearings and request
20 and receive reports from the federal government, state agencies,
21 counties, municipalities, and other public and private entities regarding
22 the impact of the COVID-19 public health emergency on low-income and
23 minority communities in Nebraska. The special legislative committee may
24 hold one or more closed sessions for the receipt of confidential
25 information if at least one-half of the members of the special
26 legislative committee vote in open session to hold a closed session.

27 (4) The special legislative committee may provide grants under the
28 North Omaha Recovery Act and develop an application process by which
29 eligible applicants may apply for such grant funding. All grants made by
30 the special legislative committee shall meet the eligible uses under the
31 federal American Rescue Plan Act of 2021 and pursuant to any relevant

1 guidance on the use of such funds by the United States Department of the
2 Treasury. Grants shall be targeted to at least one of the following four
3 categories: Housing and homelessness, community and small business
4 recovery, community well-being, and community assistance and programming.

5 Sec. 5. The North Omaha Recovery Act Fund is created. The fund
6 shall be used by the North Omaha Recovery Special Committee of the
7 Legislature to provide grant funding to public and private entities
8 utilizing funds from the federal American Rescue Plan Act of 2021 to
9 respond to the COVID-19 public health emergency and its negative impact
10 within qualified census tracts located within the boundaries of a city of
11 the metropolitan class, and to defray any administrative expenses
12 incurred by the special legislative committee or the Legislative Council
13 in carrying out the North Omaha Recovery Act. The fund shall consist of
14 transfers by the Legislature as provided under section 6 of this act. Any
15 money in the fund available for investment shall be invested by the state
16 investment officer pursuant to the Nebraska Capital Expansion Act and the
17 Nebraska State Funds Investment Act.

18 Sec. 6. It is the intent of the Legislature to appropriate four
19 hundred fifty million dollars from federal funds for FY2022-23 to the
20 North Omaha Recovery Act Fund. The federal funds appropriated in this
21 section shall be from the funds allocated to the State of Nebraska from
22 the federal Coronavirus State Fiscal Recovery Fund pursuant to the
23 federal American Rescue Plan Act of 2021, Public Law 117-2, Subtitle M,
24 Sec. 9901.

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