



Ad Content Proof

Note: Ad size does not reflect actual ad

NOTICE OF PUBLIC HEARING FOR RULE MAKING

Notice is hereby given that the Nebraska Department of Economic Development will hold a public hearing for rule making pursuant to Neb. Rev Stat. §84-907 on September 25, 2019, at 2:00 p.m. on the Fourth Floor of the Nebraska State Office Building in the Department of Economic Development's Main Conference Room, 301 Centennial Mall South, Lincoln, Nebraska 68509.

The purpose of the hearing is to receive oral or written public comments about the proposed amendment of Title 86, Nebraska Administrative Code, Chapter 7, entitled Rules and Regulations Concerning the Administration of Funding for Nebraska Development Districts. This action is proposed to implement Neb. Rev. Stat. §§13-1901 through 13-1907 consistent with the authority and constitutionality of such statutes. The subject matter and scope of the rule making action is:

To repeal rules and regulations governing the administration of funding for Nebraska development districts.

Draft copies of the proposed rules and regulations will be available at the offices of the Secretary of State, State Capitol, Lincoln, Nebraska 68509, and online at http://www.sos.ne.gov/rules-and-regs/regtrack/in dex.cgi. Copies will also be available at the offices of the Department of Economic Development, 4th Floor of the Nebraska State Office Building, Lincoln, NE 68509.

A description of the expected fiscal impact on state agencies, political subdivisions, and persons regulated may be inspected and obtained from the employee cited at the end of this notice as the contact person at the Nebraska Department of Economic Development.

There is no expected fiscal impact on state agencies, political subdivisions, and persons regulated.

Interested persons are invited to attend and testify orally or by written submission at the hearing. Interested persons may also submit written comments prior to the hearing which will be made part of the hearing records at the time of the hearing.

All testimony and written submissions made a part of the hearing records will be considered by the Nebraska Department of Economic Development in making its decision about adoption of the proposed rules and regulations.

Individuals requiring physical and sensory accommodations to participate in the hearing, including Interpreter services, Braille, large print, or recorded materials, should contact the employee cited at the end of this notice, no later than September 11, 2019.

The Nebraska Department of Economic Development employee to contact with respect to all matters in this notice is: Joseph H. Lauber, Nebraska Department of Economic Development; 4th Floor of the Nebraska State Office Building, 301 Centennial Mall South, P.O. Box 94666, Lincoln, Nebraska 68509 4666; e-mail joseph.lauber@nebraska.gov; telephone (402) 471 3758 (direct), or (402) 471-3111 (department switchboard), or (800) 426-6505 (toll free department switchboard), or for those with hearing/speech impairments the Nebraska Relay System at 711, or (800) 833-7352 (TDD) or (800) 833-0920 (Voice).



Title 86 - Nebraska Department of Economic Development

Chapter 7 (Repealed)

AUG 20 2019

~~TITLE 86, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 7~~

~~NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT~~

~~Rules and Regulations Concerning the
Administration of Funding for Nebraska Development Districts~~

Adopted: February 24, 2016

NEBRASKA ADMINISTRATIVE CODE

TITLE 86 NAC 7

NUMERICAL TABLE OF CONTENTS

Subject or Title	Statutory Authority	Code Section
Administration	Neb. Rev. Stat. § 13-1907	Section 001
Purpose of Funding	Neb. Rev. Stat. §§ 13-1905- 13-1906	Section 002
Definitions	Neb. Rev. Stat. §§ 13-1901- 13-1902; §13-1907	Section 003
Eligible Applicants	Neb. Rev. Stat. § 13-1903; 13- 1905; 13-1907	Section 004
Duties	Neb. Rev. Stat. § 13-1904	Section 005
Certification	Neb. Rev. Stat. § 13-1905	Section 006
Distribution of State Funds	Neb. Rev. Stat. §§ 13-1906- 13-1907	Section 007
Application Procedures	Neb. Rev. Stat. § 13-1907	Section 008
Annual Reporting	Neb. Rev. Stat. § 13-1907	Section 009
Other Programmatic Requirements	Neb. Rev. Stat. § 13-1907	Section 010

NEBRASKA ADMINISTRATIVE CODE

TITLE 86 NAC 7

ALPHABETICAL TABLE OF CONTENTS

Subject or Title	Statutory Authority	Code Section
Administration	Neb. Rev. Stat. § 13-1907	Section-001
Annual Reporting	Neb. Rev. Stat. § 13-1907	Section-009
Application Procedures	Neb. Rev. Stat. § 13-1907	Section-008
Certification	Neb. Rev. Stat. § 13-1905	Section-006
Definitions	Neb. Rev. Stat. §§ 13-1901- 13-1902; §13-1907	Section-003
Distribution of State Funds	Neb. Rev. Stat. §§ 13-1906- 13-1907	Section-007
Duties	Neb. Rev. Stat. § 13-1904	Section-005
Eligible Applicants	Neb. Rev. Stat. § 13-1903; 13- 1905; 13-1907	Section-004
Other Programmatic Requirements	Neb. Rev. Stat. § 13-1907	Section-010
Purpose of Funding	Neb. Rev. Stat. §§ 13-1905- 13-1906	Section-002

~~NEBRASKA ADMINISTRATIVE CODE~~

~~TITLE 86—DEPARTMENT OF ECONOMIC DEVELOPMENT~~

~~Chapter 7—Rules and Regulations Concerning the Administration of Funding for Nebraska
Development Districts~~

~~**001. Administration.** The Department of Economic Development shall adopt, promulgate, and carry out these rules and regulations for the administration of state funding for Nebraska Development Districts, pursuant to provisions of Nebraska Revised Statutes, §§13-1901 through 13-1907.~~

~~**002. Purpose of Funding.** The purpose of state funding is to support Nebraska Development Districts for duties performed pursuant to Nebraska Revised Statutes § 13-1904. The means of support are, when state funding is made available by the Legislature, grants of assistance from the Department of Economic Development to Development Districts that meet the requirements for certification specified in Nebraska Revised Statutes § 13-1905.~~

~~**003. Definitions.** Certain terms are defined below.~~

~~**003.01** Department—means the Nebraska Department of Economic Development.~~

~~**003.02** Development District—means a voluntary association, within a Nebraska planning and development region, formed by agreement pursuant to the Interlocal Cooperation Act, and as specified in Nebraska Revised Statutes § 13-1902.~~

~~**003.03** Local Government—means a county, city or village.~~

~~**003.04** Planning and development region—means an organized group of specified counties within Nebraska as created by Nebraska Revised Statutes §13-1901.~~

~~**004. Eligible Applicants.** Any Development District that has been certified by the Department, and continues to be eligible pursuant to provisions of Nebraska Revised Statutes, §§ 13-1901 through 13-1907.~~

~~**005. Duties.** The Department shall provide state funding, if available, to Development Districts for activities performed, or to be performed, pursuant to Nebraska Revised Statutes § 13-1904, which currently include serving as a regional resource center, and providing planning, community and economic development, and technical assistance to local governments which are members of the Development District and may provide assistance to industrial development organizations, tourism promotion organizations, community development groups, and similar organizations upon request.~~

~~**006. Certification.** The Department shall certify Development Districts for funding eligibility prior to distributing available state funding. Certification shall be based on the following requirements:~~

- ~~(1) The Development District shall be formed as provided in Nebraska Revised Statutes § 13-1902;~~
- ~~(2) The Development District shall have a staff which shall at a minimum include a full-time director to provide assistance to the local governments which are members of the Development District;~~
- ~~(3) The agreement creating the Development District shall insure that all of the local governments within the Nebraska planning and development region may at any time join in the Development District; and~~
- ~~(4) The Development District shall be governed by a policy board pursuant to Nebraska Revised Statutes § 13-1903.~~

~~**007. Distribution of State Funds.** State funds appropriated to the Department for distribution to Development Districts shall be distributed by formula pursuant to Nebraska Revised Statutes §§ 13-1906 and 13-1907.~~

~~**008. Application Procedures.** Each Development District, seeking funding pursuant to the Act, shall provide an application to the Department, in the form and manner established by the Department, requesting distribution of available funding, and demonstrating funding eligibility pursuant to Nebraska Revised Statutes § 13-1905.~~

~~**009. Annual Reporting.** Each Development District shall provide annual performance and financial reports to the Department which shall address the activities performed and services delivered.~~

~~**010. Other Programmatic Requirements.** The Department may develop application guidelines and application forms to aid Eligible Applicants in applying for funding pursuant to provisions of Nebraska Revised Statutes, §§ 13-1901 through 13-1907. The Department may also establish annual reporting requirements, develop reporting forms, determine contractual requirements, and establish the timing of funding distribution. Each Development District certified for funding eligibility may be required to enter into a written agreement with the Department prior to the receipt of funding.~~