

State of Nebraska  
Executive Office  
Lincoln  
Executive Order  
98-4

WHEREAS, the Nebraska Affordable Housing Commission, the Nebraska Interagency Council on the Homeless, and the Affordable Housing Trust Fund Advisory Committee are charged by statute or executive order with addressing unique aspects of housing and homelessness/near-homelessness, which are all part of the *continuum of care*; and

WHEREAS, the memberships of each of the Nebraska Affordable Housing Commission, the Nebraska Interagency Council on the Homeless, and the Affordable Housing Trust Fund Advisory Committee, recognizing the strong linkages among the various issues of housing and consolidation will provide for efficiencies in the manner in which these issues are addressed in the State of Nebraska (the "State"); and

WHEREAS, coordination and collaboration among public, governmental, nonprofit, and private entities can lead to a more effective use of resources directed to address issues of housing and homelessness/near-homelessness; and

WHEREAS, a consolidated group of such entities will ensure that the individual aspects of the *continuum of care* model are addressed from a holistic vantage point; and

WHEREAS, a comprehensive statewide strategy designed to reduce the incidence of homelessness/near-homelessness and to improve the quality of housing and supportive services will significantly improve the lives of many Nebraskans faced with homelessness/near-homelessness and/or a shortage of affordable housing,

NOW, THEREFORE, I E. Benjamin Nelson, Governor of the State of Nebraska, by virtue of the authority vested in the Governor by the Constitution and statutes of the State of Nebraska, do hereby order the following:

Section 1. ***Establishment.*** The Governor of the State of Nebraska hereby establishes the Nebraska Commission on Housing and Homelessness (hereafter the "Commission").

Section 2. ***Purpose.*** The purpose of the Commission shall be to develop ongoing, specific policies and program recommendations to the Governor which address affordable housing and homelessness/near-homelessness issues, including identifying and monitoring the implementation of models of community-based affordable housing production and homeless/near-homeless programs; progressive housing and homelessness/near-homelessness policies, plans and courses of action; and continuum of care-based models which provide supportive services for persons who are homeless or at risk of becoming homeless and to monitor implementation of those recommendations.

Section 3. ***Duties and Responsibilities.*** The Commission is vested with the following duties and responsibilities.

a. ***Recommendations.*** To make recommendations to the Department of Economic Development (hereafter "DED") on the operation of the Nebraska Affordable Housing Trust Fund and the Homeless Shelter Assistance Trust Fund (hereafter collectively, the "Trust Funds"), including, but not limited to:

i. development of program guidelines, including advising and assisting DED in establishing criteria, priorities, and guidelines for eligibility requirements, application requirements and dates, public notification and monitoring, and assisting DED in adopting and promulgating rules and regulations governing such Trust Funds;

- ii. development of allocation strategy for amounts available in such Trust Funds (funding decisions to be made by DED), including a plan to coordinate low-income housing and homelessness/near-homelessness efforts throughout the State;
- iii. program review and oversight; and
- iv. review of program outcomes and report on the performance of the Trust Funds to the Governor and Legislature.

In recognition of the foregoing, the Commission shall be considered the housing advisory committee established for purposes of Neb. Rev. Stat. § 68-1605 (Reissue 1996) and Neb. Rev. Stat. §§ 58-704 & 81-1281 (Cum. Supp. 1996); and the Commission shall carry out the duties and responsibilities set forth in such statutory provisions.

b. *Advisory Body-Housing.* To serve as the principal advisory body to the Governor and DED on housing needs and issues for the non-entitlement (exclusive of Lincoln and Omaha) areas of the State, particularly in connection with the preparation of the Housing and Community Development Consolidated Plan and Annual Action Plan.

c. *Advisory Body-Homelessness.* To serve as the principal advisory body to the Governor and DED on issues of homelessness/near-homelessness and to encourage the *continuum of care* approach for continuity, coordination and cooperation with supportive service providers delivering services to the homeless/near-homeless and low-income persons and families. In connection therewith, the Commission shall coordinate the development of a statewide comprehensive plan which establishes a method of periodically counting the number and types of homeless/near-homeless persons in the State and provides an inventory of agencies and providers of services to homeless/near-homeless persons (including implementation of a data collection system for such homeless/near-homeless count).

d. *Education.* To focus attention on, and increase awareness of, the need for affordable housing and the needs of the homeless/near-homeless in Nebraska through education programs and other means.

e. *Advocate.* To advocate for the homeless/near-homeless persons and families in Nebraska, by attempting to find solutions to their housing needs.

f. *Coordination/Cooperation.* To encourage and support continuity, coordination and cooperation with national housing officials and programs dedicated to homelessness/near-homelessness issues.

g. *Integration.* To integrate existing recommendations from the State of Nebraska's Housing and Community Development Consolidated Plan and Annual Action Plan with other statewide strategic planning initiatives involved with affordable housing, homelessness/near-homelessness issues, and other housing issues.

#### Section 4. **Governance.**

a. *Membership.* The Commission is to be composed of 21 members to be appointed by the Governor. These members will serve at his/her pleasure. There shall be representation from interested segments of Nebraska's citizens, including local, regional and state officials; homeless/near-homeless service providers; not-for-profit community-based organizations and corporations; for-profit entities; associations advocating on behalf of low-income persons; professional housing planners and developers; realtors, bankers and housing builders and manufacturers; private business and industry; and other representatives of local, regional, state or federal organizations, or groups with an emphasis on addressing the housing needs of low-income persons and the homeless/near-homeless population in the State.

b. *Chairperson.* The Governor shall appoint the Chair and Vice Chair to act in such capacity for the first year of the Commission. After such time, the Commission shall elect by sample ballot the succeeding Chair and Vice Chair for one-year terms.

c. *Location.* The Commission will be based in DED. One or more designated DED staff members will serve as the official liaison(s).

d. *Meetings.* The Commission will meet at the call of the chair, or that of a majority of the members, at least four times per year, or as needed to formalize State affordable housing and homelessness/near-homelessness policies and programs.

e. *Commission Funds.* This Executive Order hereby authorizes the administrative creation of the Nebraska Commission on Housing and Homelessness Cash Fund. Any money in the fund available for investment shall be invested by the State investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska Funds Investment Act.

f. *Donations, Grants and Other Outside Income.* The Commission may accept donations, grants, gifts or other support. Financial contributions shall be placed in the Nebraska Commission on Housing and Homelessness Cash Fund and shall be used to support Commission activities.

g. *Accounting.* This Fund shall be subject to all accounting rules and regulations of the State. A detailed accounting of all monetary and non-monetary contributions shall be kept. This information shall be made readily available to interested members of the public.

h. *Administrative and Technical Support.* Administrative and technical support shall be provided by DED and other agencies as directed by the Governor.

Section 5. ***Powers.*** The Commission shall adopt all necessary operating procedures and guidelines to fulfill its purposes, including, but not limited to, those set forth in this section.

a. *Communication.* The Commission will issue reports, recommendations and other communications as deemed necessary by its Chair to fulfill its purpose.

b. *Committees.* The Commission Chair may appoint non-voting members, establish committees of either voting or non-voting members, obtain advisors, create task forces, or otherwise engage in appropriate activities necessary to fulfill the Commission's purpose.

c. *Compensation.* The Commission members may be compensated for actual expenses incurred through their work for the Commission.

d. *Other Activities.* The Commission may engage in other activities relevant and appropriate to its purposes, charges and powers.

Section 6. ***Rescission.*** Executive Orders 92-7 and 94-6 are hereby rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand, and cause the Great Seal of the State of Nebraska to be affixed this 13th day of May, in the year of our Lord One Thousand Nine Hundred and Ninety-Eight.

E. Benjamin Nelson  
**Governor**

Attest:  
Scott Moore  
**Secretary of State**