



# DIRT ALERT

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David C. Levy, Editor

## **104th Nebraska Legislature, First Session: Real Estate, Renewable Energy and Municipal Law Update – Part 10 (Days 45 – 53)**

The ninety day first session of the 104th Nebraska Legislature is now over half complete. Here is an update on the bills we are tracking related to real property, renewable energy, and municipal law.

You can find copies of the bills and information regarding status of the bills on the Nebraska Legislature's website at <http://www.nebraskalegislature.gov/bills/>.

For the remainder of the session, we will publish updates on a biweekly basis. Please do not hesitate to contact us if you have questions about these bills or any others. Thank you.

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Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<b>Approved by Governor:</b> The bill has become law.					
<a href="#">LB 23</a>	Act to revise, harmonize, and repeal sections of the Engineers and Architects Regulation Act	Krist	Health and Human Services	1/23/15	Approved by Governor with ER25
<a href="#">LB 52</a>	Exempt sanitary drainage districts from sales and use taxes	Scheer	Revenue	1/23/15	Approved by Governor
<a href="#">LB 116</a>	Change election procedures and membership for sanitary and improvement district boards of trustees	Haar	Urban Affairs	1/27/15	Approved by Governor with AM192
<a href="#">LB 150</a>	Include grants or loans to businesses to provide relocation incentives within the Local Option Municipal Economic Development Act	Urban Affairs Committee	Urban Affairs	1/29/15	Approved by Governor
<a href="#">LB 151</a>	Change procedures relating to city notices in cases of mortgaged property or trust deed default	Urban Affairs Committee	Urban Affairs	1/29/15	Approved by Governor with AM 19 and 85
<a href="#">LB 157</a>	Change operative date for the Nebraska Model Business Corporation Act	McCollister	Banking, Commerce and Insurance	1/26/15	Approved by Governor
<a href="#">LB 168</a>	Change provisions relating to business improvement districts	Mello	Urban Affairs	1/27/15	Approved by Governor with AM51 and ER9
<a href="#">LB 177</a>	Change provisions relating to membership on boards of directors for public power districts	Haar	Government, Military and Veterans Affairs	1/21/15	Approved by Governor with ST14, FA 2, FA 3, ER7, AM 154, and AM434
<a href="#">LB 261</a>	Redefine qualified owner under the Rural Community-Based Energy Development Act and change other revenue and taxation provisions	Gloor	Revenue	1/23/15	Approved by Governor with AM44 and ER23
<a href="#">LB 266</a>	Change provisions relating to jurisdiction for municipalities to enforce ordinances	Crawford	Urban Affairs	2/3/15	Approved by Governor with AM122 and ER30
<b>Final Reading:</b> The third and last stage at which the full Legislature considers a bill, including amendments. Senators vote without debate on whether to submit the bill to the Governor.					
<a href="#">LB 304</a>	Adopt the Municipal Custodianship for Dissolved Homeowners Associations Act	Hansen	Urban Affairs	2/3/15	Placed on Final Reading; AM286 and ER47 adopted

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB 431</a>	Change provisions relating to public school district construction	Baker	Education	2/17/15	Placed on Final Reading; Senator Baker Priority Bill; ER45 adopted; FA36 filed
<b>Select File:</b> The second stage at which the full Legislature considers a bill. The Legislature may amend, return to committee, indefinitely postpone, or advance a bill to Final Reading.					
<a href="#">LB 139</a>	Change provisions of the Real Property Appraiser Act to provide definitions, add the position of a real property associate, and other	Johnson	Banking, Commerce and Insurance	1/27/15	Placed on Select File; AM119 and AM 893 adopted; ER51 filed; Banking, Commerce and Insurance Committee Priority Bill
<b>General File:</b> The first stage at which the full Legislature considers a bill. The Legislature may amend, return to committee, indefinitely postpone, or advance a bill to Select File.					
<a href="#">LR 7CA</a>	Change term length of terms for legislators	Schumacher	Executive Board	2/23/15	Placed on General File; AM822 and AM922 filed
<a href="#">LB 28</a>	Adopt the Radon Resistant New Construction Act	Krist	Health and Human Services	2/27/15	Placed on General File; AM708 and AM368 filed
<a href="#">LB 106</a>	Adopt the Livestock Operation Siting and Expansion Act	Watermeier, Johnson, Murante	Agriculture; Government, Military and Veterans Affairs	2/12/15	Placed on General File; AM521, AM1034, AM997, AM1018, AM643, and AM698 filed; Senator Watermeier Priority Bill
<a href="#">LB 131</a>	Prohibit sanitary and improvement districts from spending assets after receiving a notice of proposed annexation	Craighead, Crawford, Davis, Harr, Howard, Mello, Riepe	Urban Affairs	1/27/15	Placed on General File; AM405 filed
<a href="#">LB 156</a>	Change amount of tax credits allowed under the Angel Investment Tax Credit Act	Stinner	Revenue	2/5/15	Placed on General File; AM645 filed; Senator Hilkemann Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB 197</a>	Provide additional powers related to animals, streets, and vehicles for certain sanitary and improvement districts	Scheer	Urban Affairs	2/10/15	Placed on General File; AM390 filed
<a href="#">LB 221</a>	Provide for disposition of a tenant's personal property upon death	Harr	Judiciary	2/6/15	Placed on General File; AM467 filed
<a href="#">LB 259</a>	Adopt the Personal Property Tax Relief Act	Gloor	Revenue	1/29/15	Placed on General File; AM824 filed, Revenue Committee Priority Bill
<a href="#">LB 277</a>	Change tax deed lien priority	Harr	Revenue	2/12/15	Placed on General File
<a href="#">LB 295</a>	Require municipalities to have county approval before enforcing ordinances in the extraterritorial zoning jurisdiction	Scheer	Urban Affairs	2/3/15	Placed on General File; AM323 filed
<a href="#">LB 356</a>	Change provisions relating to the assessment of certain rent-restricted housing projects	Harr	Revenue	2/26/15	Advanced to Enrollment and Review Initial; AM803 and AM930 adopted; Revenue Committee Priority Bill; AM977 and ER54 filed
<a href="#">LB 362</a>	Change eminent domain provisions relating to school sites	Krist	Judiciary	3/11/15	Placed on General File
<a href="#">LB 412</a>	Change provisions relating to the Rural Community-Based Energy Development Act	Mello	Natural Resources	2/20/15	Placed on General File
<a href="#">LB 414</a>	Provide a property tax exemption for fraternal benefit societies	Harr	Revenue	3/5/15	Placed on General File; Senator Harr Priority Bill
<a href="#">LB 420</a>	Require acknowledgments from purchasers of real estate in a sanitary and improvement district	Crawford	Urban Affairs	2/10/15	Placed on General File
<a href="#">LB 424</a>	Change provisions relating to the nameplate capacity tax	Davis	Revenue	3/5/15	Placed on General File
<a href="#">LB 457</a>	Change and Site and Building Development Act and terminate a fund	Gloor	Banking, Commerce and Insurance	2/23/15	Placed on General File; AM694 filed; Speaker Hadley Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB 469</a>	Provide powers and duties to the Department of Environmental Quality relating to regulating carbon dioxide emissions	Smith	Natural Resources	2/5/15	Placed on General File; AM833 filed; Senator Lindstrom Priority Bill
<a href="#">LB 513</a>	Change provisions relating to use and leasing of school property	Craighead	Education	2/17/15	Placed on General File
<a href="#">LB 538</a>	Require audits of tax incentive programs under the Legislative Performance Audit Act	Legislative Perform. Audit Committee	Revenue	2/25/15	Advanced to Enrollment and Review Initial; Legislative Perform. Audit Committee Priority Bill; AM944 adopted; ER58 filed
<a href="#">LB 540</a>	Adopt updated international building code standards	Crawford	Urban Affairs	2/17/15	Placed on General File; Speaker Hadley Priority Bill
<a href="#">LB 559</a>	Change provisions relating to the treatment of tax credits under the New Markets Job Growth Investment Act	Schumacher	Revenue	3/4/15	Placed on General File; Senator Williams Priority Bill
<p><b>Referred to Committee:</b> The Reference Committee refers bills to specific committees. The committee then holds a hearing to consider public comment regarding the bill. The committee may amend, indefinitely postpone, or advance a bill to General File.</p>					
<a href="#">LB 22</a>	Provide immunity under the Engineers and Architects Regulation Act during an emergency	Krist	Judiciary	1/21/15	Held by Committee
<a href="#">LB 68</a>	Eliminate step-up basis for real estate for determination of capital gains	Schumacher	Revenue	1/22/15	Held by Committee
<a href="#">LB 71</a>	Adopt the Agricultural Property Tax Credit Act	Schumacher	Revenue	1/22/15	Held by Committee
<a href="#">LB 73</a>	Adopt the Modern Tax Act which imposes a tax on interest paid on certain loans	Schumacher	Revenue	1/30/15	Held by Committee
<a href="#">LB 117</a>	Change provisions relating to energy financing contracts between companies and governmental units	Haar	Natural Resources	2/9/15	Held by Committee
<a href="#">LB 162</a>	Change provisions relating to land banks and the sale of real property	Schumacher	Revenue	1/29/15	Held by Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB 204</a>	Provide a tax credit for certain beer manufacturers	Schilz	General Affairs	2/2/15	Held by Committee
<a href="#">LB 205</a>	Provide requirements for certain towers	Schilz	Government, Military and Veterans Affairs	2/4/15	Held by Committee
<a href="#">LB 210</a>	Change provisions relating to housing agencies and taxation of mixed-use developments	Ebke	Revenue	2/12/15	Held by Committee
<a href="#">LB 230</a>	Change provisions relating to the parties that may compel partition	Mello	Revenue	2/19/15	Held by Committee
<a href="#">LB 238</a>	Change provisions relating to tax-increment financing under the Community Development Law	Groene	Urban Affairs	2/24/15	Held by Committee
<a href="#">LB 293</a>	Change valuation of agricultural and horticultural land	Schnoor	Revenue	2/19/15	Held by Committee
<a href="#">LB 300</a>	Change provisions relating to enforcement of ordinances by sanitary and improvement districts	Schumacher	Urban Affairs	2/10/15	Held by Committee
<a href="#">LB 336</a>	Change provisions relating to the Nebraska Condominium Act	Harr	Banking, Commerce and Insurance	3/3/15	Held by Committee
<a href="#">LB 350</a>	Change valuation of agricultural and horticultural land	Brasch	Revenue	2/19/15	Held by Committee; Senator Brasch Priority Bill
<a href="#">LB 385</a>	Change provisions relating to forcible entry and detainer and the Uniform Residential Landlord and Tenant Act	Lindstrom	Judiciary	2/6/15	Held by Committee
<a href="#">LB 395</a>	Adopt the Nebraska Enterprise Act and authorize grants for economic development	Schilz	Banking, Commerce and Insurance	3/10/15	Held by Committee
<a href="#">LB 399</a>	Provide Public Service Commission powers regarding transportation network service	Smith	Transportation and Telecom.	3/2/15	Held by Committee
<a href="#">LB 406</a>	Change provisions relating to actions for the recovery of vacant, platted, and subdivided real property	Morfeld	Judiciary	2/19/15	Held by Committee
<a href="#">LB 407</a>	Change and eliminate provisions relating to certified renewable export facilities	Haar	Natural Resources	3/4/15	Held by Committee; Senator Haar Priority Bill
<a href="#">LB 423</a>	Change the renewable energy tax credit	Nordquist	Revenue	2/25/15	Held by Committee; Senator Nordquist Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB 438</a>	Change distribution of sales and use tax revenue and create and provide for a fund	Morfeld	Revenue	3/6/15	Held by Committee
<a href="#">LB 442</a>	Appropriate additional funds to the Property Tax Credit Cash Fund	Bolz	Appropriations	2/27/15	Held by Committee
<a href="#">LB 445</a>	Authorize audits of redevelopment plans that use tax-increment financing	Groene	Urban Affairs	2/24/15	Held by Committee
<a href="#">LB 473</a>	Eliminate the power of eminent domain for major pipelines	Chambers	Judiciary	3/11/15	Held by Committee
<a href="#">LB 475</a>	Change a provision relating to the construction or acquisition of certain electric generation facilities	Davis	Natural Resources	2/25/15	Held by Committee
<a href="#">LB 476</a>	Provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property	Davis	Revenue	3/5/15	Held by Committee
<a href="#">LB 488</a>	Adopt the Transportation Network Insurance Act	Scheer	Banking, Commerce and Insurance	2/3/15	Held by Committee
<a href="#">LB 536</a>	Provide for the filing of an annual report by public power suppliers with the Nebraska Power Review Board	Haar	Natural Resources	2/11/15	Held by Committee
<a href="#">LB 583</a>	Require a state energy plan	Schilz	Natural Resources	2/11/15	Held by Committee
<a href="#">LB 596</a>	Change the Community Development Law and create the Tax-increment Financing Division of the Auditor of Public Accounts	Davis	Urban Affairs	2/24/15	Held by Committee
<a href="#">LB 629</a>	Provide for regulation of transportation network companies	Mello	Transportation and Telecom.	3/2/15	Held by Committee; Transportation and Telecomm. Priority Bill
<b>Withdrawn:</b> The Senator who introduced the bill has withdrawn it from consideration, suspending all further activity on it in its current form.					
<a href="#">LB 432</a>	Change provisions relating to access to and copying of public records	Baker	Government, Military and Veterans Affairs	-	Withdrawn
<b>Indefinitely Postponed:</b> The Legislature or committee suspended all further activity.					
<a href="#">LB 282</a>	Change provisions relating to closed sessions for public bodies	Baker	Government, Military and Veterans Affairs	-	Indefinitely Postponed