



DIRT ALERT

March 31, 2014

David C. Levy, Editor

103rd Nebraska Legislature, Second Session: Real Estate, Renewable Energy and Municipal Law Update – Part 11 (Days 48 - 51)

The 103rd Nebraska Legislature is now approaching the final weeks of the second session. Here is an update on the bills we are tracking related to real property, renewable energy, and municipal law.

Copies of the bills and information regarding status of the bills can be found on the Nebraska Legislature’s website at <http://www.nebraskalegislature.gov/bills/>.

Please do not hesitate to contact us if you have questions about any of these bills. Thank you.

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Bill	Summary	Introducer	Committee	Hearing Date	Current Status
Approved by Governor					
None					
Presented to Governor for Consideration					
LB 749	Adopt the Nebraska Model Business Corporation Act	Harr	Banking, Commerce and Insurance	2/3/14	Presented to Governor on March 24; ER135 adopted; Banking, Commerce and Insurance Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 751	Enact the Nebraska Benefit Corporation Act	Conrad	Banking, Commerce and Insurance	2/3/14	Presented to Governor on March 27; ER176 adopted; Speaker Adams Priority Bill
LB 836	Declare legislative findings to support tax incentive programs	Legislative Performance Audit Committee	Revenue	2/27/14	Presented to Governor on March 27; Legislative Performance Audit Priority Bill
LB 844	Extend the termination date of the Nebraska Litter Reduction and Recycling Act	Schilz	Natural Resources	1/24/14	Presented to Governor on March 24; Natural Resources Priority Bill
LB 946	Change provisions relating to county board, election commissioners, certain special elections, and officials' salaries	Murante	Government, Military and Veterans Affairs	2/5/14	Presented to Governor on March 27; AM2047, AM2120, AM2121, AM2204, AM2448, AM2548, and ER179 adopted; Senator Murante Priority Bill
LB 986	Change homestead exemption income limitations	Revenue Committee	Revenue	2/5/14	Presented to Governor on March 27; ER157, AM2041, and AM2060 adopted; Revenue Priority Bill
LB 1012	Change provisions related to blighted areas under the Community Development Law	Schilz	Urban Affairs	2/4/14	Presented to Governor on March 27; Urban Affairs Priority Bill
LB 1014	Change provisions for election of metropolitan utilities district board of directors	Murante	Urban Affairs	2/11/14	Presented to Governor on March 24; Urban Affairs Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
Final Reading					
LB 191	Adopt the Nebraska Job Creation and Mainstreet Revitalization Act	Nordquist	Revenue	1/13/13	Placed on Final Reading with ST71; AM707, AM1918, AM2569, AM2602, and ER138 adopted; Senator Johnson Priority Bill
LB 402	Change provisions relating to power purchase agreements	Mello	Natural Resources	3/1/13	Placed on Final Reading with ST42; ER92, AM684, AM740, and AM1237 adopted; Senator Davis Priority Bill
LB 867	Change provisions relating to review of sales and use tax information by municipalities	Hadley	Revenue	1/23/14	Placed on Final Reading; ER155, AM1954, AM2011, AM2190, AM2223, AM2262, and AM2449 adopted; Senator Hadley Priority Bill
Select File					
LB 13	Require radon resistant construction and radon mitigation statements for residential real property	Krist	Human Services	1/23/13	Placed on Select File; ER121 and AM260 adopted; MO131 Motion to Bracket until 4/10/14 approved
LR 29CA	Constitutional amendment to change provisions relating to redevelopment projects	Adams	Urban Affairs	2/12/13	Placed on Select File with ER117; AM273 adopted

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 373	Change and eliminate provisions of Nebraska Prompt Pay Act	Mello	Business & Labor	2/11/13	Advanced to Enrollment and Review Initial; AM1550 adopted; Speaker Adams Priority Bill
LB 679	Change notice requirements related to zoning, redevelopment projects and neighborhood associations	Mello	Urban Affairs	1/21/14	Advanced to Enrollment and Review for Engrossment; ER194 adopted
LB 683	Update reference to federal rules and regulations relating to storm water management	Scheer	Natural Resources	2/5/14	Advanced to Enrollment and Review for Engrossment
LB 687	Change application procedures for real estate licenses	Christensen	Banking, Commerce and Insurance	1/21/14	Advanced to Enrollment and Review for Engrossment
LB 693	Change affidavit requirements for successors to real estate property on small estates	Seiler	Judiciary	1/24/14	Placed on Select File; AM1782 adopted
LB 697	Require publication of a list of tax delinquent properties	Larson	Revenue	1/23/14	Advanced to Enrollment and Review for Engrossment
LB 702	Change procedures for organization of cities of second class and villages	Johnson	Urban Affairs	1/28/14	Advanced to Enrollment and Review for Engrossment; AM1738 and ER203 adopted
LB 717	Change provisions of the Real Property Appraiser Act relating to professional qualifications	Gloor	Banking, Commerce and Insurance	1/27/14	Advanced to Enrollment and Review for Engrossment; AM2135 and ER191 adopted; Speaker Adams Priority Bill
LB 750	Change provisions and procedures relating to lien perfection and termination	Harr	Banking, Commerce and Insurance	2/4/14	Placed on Select File; AM1859 adopted
LB 757	Create a mailbox location exception and eliminate an obsolete road-numbering system	Smith	Transportation and Telecommunications	1/21/14	Advanced to Enrollment and Review for Engrossment

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 780	Change provisions relating to transfer on death deeds	Wightman	Judiciary	1/24/14	Placed on Select File
LB 798	Allow certain power districts to use a fiscal year rather than a calendar year	Christensen	Natural Resources	1/31/14	Placed on Select File
LB 800	Provide for designation of enterprise zones and preferences in certain business incentive programs located in such zones	Mello	Business and Labor	2/3/14	Advanced to Enrollment and Review Initial; AM1891 adopted; Senator Cook Priority Bill
LB 803	Change mayoral veto powers and procedures for first and second class cities	Urban Affairs Committee	Urban Affairs	1/21/14	Advanced to Enrollment and Review for Engrossment; ER197 adopted
LB 810	Provide that only state and federal law govern the enforcement and servicing of real estate loans	Watermeier	Banking, Commerce and Insurance	2/3/14	Advanced to Enrollment and Review Initial; AM1865 and AM2557 adopted; Speaker Adams Priority Bill
LB 937	Change quorum requirements for county supervisors	Karpisek	Government, Military and Veterans Affairs	2/6/14	Placed on Select File
LB 964	Provide a homestead exemption for individuals who are not married	Brasch	Judiciary	2/7/14	Placed on Select File
LB 1008	Update duties of the Climate Assessment Response Committee	Haar	Agriculture	2/4/14	Placed on Select File
LB 1044	Provide procedures for abandoned mobile homes	Schilz	Judiciary	2/19/14	Placed on Select File with ER205; AM2191 and AM2417 adopted
LB 1067	Extend the sunset dates under certain tax incentive	Hadley	Revenue	2/26/14	Placed on Select File with ER186; AM2457 and AM2546 adopted; Senator Garrett Priority Bill

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 1115	Appropriate funds to the Nebraska Power Review Board for a study and state public policy	Davis	Natural Resources	2/12/14	Placed on Select File with ER184; AM1999 adopted; Speaker Adams Priority Bill
General File					
LB 150	Change provisions relating to retail sale of natural gas by metropolitan utilities districts to exempt sales and purchases of energy or fuel used in the compression of natural gas	Nordquist	Revenue	3/13/13	Placed on General File with AM1711
LB 348	Change assessment of rent-restricted housing projects	Harr	Revenue	3/1/13	Placed on General File with AM642; AM1764 filed; MO89 pending; Speaker Priority Bill
LB 668	Provide extinguishment of a lien or security interest by sale of goods subject to lien	Hadley	Banking, Commerce and Insurance	1/21/14	Placed on General File
LB 681	Change provisions relating to land banks and application for a tax deed on properties with delinquent property taxes	Mello	Revenue	1/22/14	Placed on General File
LB 686	Amend certification date relating to nonirrigated acres under the Nebraska Ground Water Management and Protection Act	Christensen	Natural Resources	1/30/14	Placed on General File with AM2280
LB 710	Require a public hearing before voting on a ground water augmentation project	Christensen	Natural Resources	1/30/14	Placed on General File with AM2281
LB 720	Change provisions relating to complaints about rules and regulations of a political subdivision	Crawford	Executive Board	2/6/14	Placed on General File with AM1874
LB 723	Subdivide the classification of irrigated cropland for property tax valuation and sales	Christensen	Revenue	2/19/14	Placed on General File with AM2270
LB 746	Change election provisions to authorize provisional ballots and require identification for certain voters	Avery	Government, Military and Veterans Affairs	2/5/14	Placed on General File

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 791	Authorize cities of the first and second class and villages to borrow from state-chartered or federally chartered financial institutions	McGill	Urban Affairs	1/21/14	Placed on General File
LB 801	Provide notice and hearing procedures relating to nuisances	Urban Affairs Committee	Urban Affairs Committee	1/21/14	Placed on General File with AM1842
LB 817	Modify member provisions for public power district boards	Haar	Government, Military and Veterans Affairs	2/7/14	Placed on General File
LB 819	Change provisions relating to future advance on mortgages or trust deeds	Wightman	Banking, Commerce and Insurance	1/27/14	Placed on General File with AM1826
LB 833	Change election and employment provisions for county surveyors	Dubas	Government, Military and Veterans Affairs	1/29/14	Placed on General File with AM1919
LB 845	Provide for regulation of meteorological evaluation towers	Schilz	Government, Military and Veterans Affairs	2/7/14	Placed on General File with AM2043; AM2054 pending
LB 885	Require merger of certain vacant lots and compel use of the income approach to value certain real property for tax purposes	Harr	Revenue	2/27/14	Placed on General File with AM2201; Amended into LB 191
LB 896	Change provisions related to the Erosion and Sediment Control Act	Carlson	Natural Resources	2/6/14	Placed on General File AM2133
LB 915	Require a person to designate a representative to accept notices for violations of mortgaged property or ordinances	Crawford	Urban Affairs	1/28/14	Placed on General File with AM2095
LB 965	Change public policy provisions and findings required by the Nebraska Power Review Board relating to the provision of electric service	Haar	Natural Resources	1/31/14	Placed on General File with AM2045; AM2461, AM2349, and AM2346 pending; Senator Haar Priority Bill
LB 980	Change provisions relating to termination of a township board	Johnson	Government, Military and Veterans Affairs	2/19/14	Placed on General File; AM2069 filed
LB 996	Define state agency and require response to legislative requests for information	McGill	Executive Board	2/6/14	Placed on General File with AM1881

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 1043	Exempt certain deeds from the documentary stamp tax	Nelson	Revenue	2/26/14	Placed on General File
LB 1098	Change membership and powers and duties of the Nebraska Natural Resources Commission	Carlson	Natural Resources	2/26/14	Placed on General File; Senator Carlson Priority Bill
Held By Committee					
LR 482	Urge EPA, in developing guidelines for regulating carbon dioxide emissions from existing power plants, to respect the primacy of states and to rely on state regulators to develop performance standards	Carlson	Natural Resources	03/31/14	Notice of Hearing