



DIRT ALERT

January 17, 2014

David C. Levy, Editor

BAIRD HOLM^{LLP}
ATTORNEYS AT LAW
EST. 1873

1700 Farnam Street • Suite 1500
Omaha, NE 68102 • 402.344.0500
www.bairdholm.com

103rd Nebraska Legislature, Second Session: Real Estate, Renewable Energy and Municipal Law Update – Part 1 (Days 1 – 6)

The second session of the 103rd Nebraska Legislature commenced on January 8, 2014. Baird Holm is actively working on various bills and we will be tracking many related to real property, renewable energy, and municipal law. Here is a list of the bills we are tracking with their current status.

After the Legislature completes bill introduction on January 22, 2014, we will send another Dirt Alert with information on all of the introduced bills that we view as being of interest to our readers. 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.

David C. Levy
Amy L. Lawrenson
Brian R. Schumacher
Hannah K. Fischer, Law Clerk

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
Referred to Committee					
LR 393CA	Constitutional amendment to reduce signature requirements for initiative petitions	Murante	Government, Military and Veterans Affairs		Referred to Committee
LB 664	Provide immunity under the Engineers and Architects Regulation Act during an emergency	Krist	Judiciary	1/23/14	Referred to Committee
LB 665	Act to revise, harmonize and repeal sections of the Engineers and Architects Act	Krist	Human Services	1/24/14	Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
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	Referred to Committee
LB 670	Change property tax valuations of agricultural and horticultural land	McCoy	Revenue		Referred to Committee
LB 675	Eliminate property tax exemption for religious organizations	Chambers	Revenue		Referred to Committee
LB 678	Chamber Change the funding allocation percentage from 25 to 30 percent for the Affordable Housing Trust Funds	Mello	Appropriations		Referred to Committee
LB 679	Change notice requirements related to zoning, redevelopment projects and neighborhood associations	Mello	Urban Affairs	1/21/14	Referred to Committee
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	Referred to Committee
LB 683	Update reference to federal rules and regulations relating to storm water management	Scheer	Natural Resources		Referred to Committee
LB 684	Change provisions of the Nebraska Appraisal Management Company Registration Act relating to violations, hearings, and funding	Christensen	Banking, Commerce and Insurance		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 685	Modify provisions under the Real Property Appraiser Act relating to professional qualifications and the Real Property Appraiser Board	Christensen	Banking, Commerce and Insurance		Referred to Committee
LB 686	Amend certification date relating to nonirrigated acres under the Nebraska Ground Water Management and Protection Act	Christensen	Natural Resources		Referred to Committee
LB 687	Change application procedures for real estate licenses	Christensen	Banking, Commerce and Insurance	1/21/14	Referred to Committee
LB 693	Change affidavit requirements for successors to real estate property on small estates	Seiler	Judiciary	1/24/14	Referred to Committee
LB 695	Adopt limitations on radon levels for buildings hosting a child care center	Haar	Health and Human Services	1/23/14	Referred to Committee
LB 697	Require publication of a list of tax delinquent properties	Larson	Revenue		Referred to Committee
LB 702	Change procedures for organization of cities of second class and villages	Johnson	Urban Affairs		Referred to Committee
LB 710	Require a public hearing before voting on a ground water augmentation project	Christensen	Natural Resources		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 717	Change provisions of the Real Property Appraiser Act relating to professional qualifications	Gloor	Banking, Commerce and Insurance		Referred to Committee
LB 718	Amend Administrative Procedure Act to change procedures for adoption of rules and regulations and require publication of certain information	Crawford	Government, Military and Veterans Affairs Committee	1/24/14	Referred to Committee
LB 719	Provide a report requirement for the adoption of rules and regulations	Crawford	Government, Military and Veterans Affairs Committee	1/24/14	Referred to Committee
LB 720	Change provisions relating to complaints about rules and regulations of a political subdivision	Crawford	Executive Board		Referred to Committee
LB 723	Subdivide the classification of irrigated cropland for property tax valuation and sales	Christensen	Revenue		Referred to Committee
LB 733	Adopt the Mass Assessment Act for valuation of real property for ad valorem tax purposes	Schumacher	Revenue		Referred to Committee
LB 746	Change election provisions to authorize provisional ballots and require identification for certain voters	Avery	Government, Military and Veterans Affairs		Referred to Committee
LB 749	Adopt the Nebraska Model Business Corporation Act	Harr	Banking, Commerce and Insurance		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 750	Change provisions and procedures relating to lien perfection and termination	Harr	Banking, Commerce and Insurance		Referred to Committee
LB 751	Enact the Nebraska Benefit Corporation Act	Conrad	Banking, Commerce and Insurance		Referred to Committee
LB 757	Create a mailbox location exception and eliminate an obsolete road-numbering system.	Smith	Transportation and Telecommunications	1/21/14	Referred to Committee
LB 760	Adopt the Combined Sewer Overflow Infrastructure Assistance Act and the Unfunded Federal Mandate Infrastructure Assistance Act	Mello	Revenue		Referred to Committee
LB 778	Require certain entities to comply with provisions on open meetings, public records, and conflicts of interest	Chambers	Government, Military and Veterans Affairs		Referred to Committee
LB 780	Change provisions relating to transfer on death deeds	Wightman	Judiciary	1/24/14	Referred to Committee
LB 785	Provide when acknowledgment is not required for contract for sale of homestead property	Lathrop	Judiciary		Referred to Committee
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	Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 796	Provide for disposition of a tenant's personal property upon death	Harr	Judiciary	1/24/14	Referred to Committee
LB 798	Allow certain power districts to use a fiscal year rather than a calendar year	Christensen	Natural Resources		Referred to Committee
LB 800	Provide for designation of enterprise zones and preferences in certain business incentive programs located in such zones	Mello	Business and Labor		Referred to Committee
LB 801	Provide notice and hearing procedures relating to nuisances	Urban Affairs Committee	Urban Affairs Committee	1/21/14	Referred to Committee
LB 803	Change mayoral veto powers and procedures for first and second class cities	Urban Affairs Committee	Urban Affairs Committee	1/21/14	Referred to Committee
LB 810	Provide that only state and federal law govern the enforcement and servicing of real estate loans	Watermeier	Banking, Commerce and Insurance		Referred to Committee
LB 813	Increase valuation for agricultural and horticultural land for property tax purposes	Hansen	Revenue		Referred to Committee
LB 817	Modify member provisions for public power district boards	Haar	Government, Military and Veterans Affairs		Referred to Committee
LB 818	Increase rated capacity for qualified facilities relating to net metering	Haar	Natural Resources		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 819	Change provisions relating to future advance on mortgages or trust deeds	Wightman	Banking, Commerce and Insurance		Referred to Committee
LB 823	Terminate existence of metropolitan utilities districts	Lautenbaugh	Urban Affairs Committee		Referred to Committee
LB 833	Change election and employment provisions for county surveyors	Dubas	Government, Military and Veterans Affairs		Referred to Committee
LB 836	Declare legislative findings to support tax incentive programs	Legislative Performance Audit Committee	Revenue		Referred to Committee
LB 839	Extend the effective period for a continuing lien for a garnishment of execution	Janssen	Judiciary		Referred to Committee
LB 840	Allow a district to require a water well permit in management areas	Haar	Natural Resources		Referred to Committee
LB 844	Extend the termination date of the Nebraska Litter Reduction and Recycling Act	Schilz	Natural Resources		Referred to Committee
LB 845	Provide for regulation of meteorological evaluation towers	Schilz	Government, Military and Veterans Affairs		Referred to Committee
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		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 886	Amend the Nebraska Condominium Act to allow certain changes in boundaries and to decrease certain voting requirements	Harr	Banking, Commerce and Insurance		Referred to Committee
LB 904	Create the Great Plains Black History Endowment Fund to support a museum and center	Kolowski			Introduced
LB 912	Adopt the Property Tax Relief Act	Kolowski			Introduced
LB 913	Provide an income tax credit for property taxes paid on a primary residence	Kolowski			Introduced
LB 915	Require a person to designate a representative to accept notices for violations of mortgaged property or ordinances	Crawford			Introduced
2013 Carry Over Bills					
Final Reading					
<i>None</i>					
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; AM260 filed
LB 402	Change provisions relating to power purchase agreements	Mello	Natural Resources	3/1/13	Placed on Select File with ER92; AM1237 and AM1364 filed
LR 29CA	Constitutional amendment to change provisions relating to redevelopment projects	Adams	Urban Affairs	2/12/13	Placed on Select File; AM273 filed

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
General File					
LB 191	Adopt the Nebraska Job Creation and Mainstreet Revitalization Act	Nordquist	Revenue	1/14/14	Placed on General File with AM707; Senator Nordquist Priority Bill
LB 348	Change assessment of rent-restricted housing projects	Harr	Revenue	3/1/13	Placed on General File with AM642; AM1248; MO89 pending; Speaker Priority Bill
LB 373	Change and eliminate provisions of Nebraska Prompt Pay Act	Mello	Business & Labor	2/11/13	Placed on General File with AM1550
Held By Committee					
LB 43	Change provisions relating to property tax exemption for charitable organizations	Cook	Revenue	3/1/13	Held by committee
LB 101	Change valuation of agricultural and horticultural land	Watermeier	Revenue	2/28/13	Held by committee
LB 145	Change valuation of agricultural land and horticultural land	Brasch	Revenue	2/28/13	Held by committee
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	Held by committee
LB 237	Change provisions relating to property tax exemption to add retirement community	Karpisek	Revenue	3/1/13	Held by committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 411	Change to renewable energy tax credit	Nordquist	Revenue	3/6/13	Held by committee
LB 419	Change Nameplate Capacity Tax provisions	Hadley	Revenue	3/6/13	Held by committee
LB 482	Prohibit state and political subdivisions from adopting certain policy recommendations	Kintner	Judiciary	2/13/13	Held by committee
LB 501	Change to redefine a term regarding production of electricity by using one or more sources of renewable energy to produce electricity for sale	Hadley	Revenue	2/14/13	Held by committee
LB 516	Adopt Nebraska Water Legacy Act	Carlson	Revenue	3/15/13	Held by committee
LB 529	Change requirements for approval of redevelopment plans	Dubas	Urban Affairs	2/12/13	Held by committee
LB 557	Provide for community solar gardens	McGill	Natural Resources	3/5/13	Held by committee
LB 567	Change provisions relating to approval of facilities and lines	Haar	Natural Resources	3/1/13	Held by committee
LB 571	Adopt Community Enhancement Financing Assistance Act	Harr	Revenue	2/13/13	Held by committee
LB 598	Change provisions relating to net metering	Larson	Natural Resources	3/5/13	Held by committee
LB 622	Change provisions relating to research and conservation report	Haar	Natural Resources	2/6/13	Held by committee
LB 598	Change provisions relating to net metering	Larson	Natural Resources	3/5/13	Held by committee
LB 622	Change provisions relating to research and conservation report	Haar	Natural Resources	2/6/13	Held by committee