



DIRT ALERT

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103rd Nebraska Legislature, Second Session: Real Estate, Renewable Energy and Municipal Law Update – Part 2 (Days 7 – 10)

The second session of the 103rd Nebraska Legislature wrapped up bill introduction on January 22, 2013 and hearings commenced on January 21, 2013. Baird Holm continues to track those bills related to real property, renewable energy, and municipal law. Here is a list of the bills we are tracking with their current status.

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
Referred to Committee					
LR 393CA	Constitutional amendment to reduce signature requirements for initiative petitions	Murante	Government, Military and Veterans Affairs		Referred to Committee
LR 423CA	Constitutional amendment to provide that residential real property may be classified separately for property taxation	Nordquist			Introduced

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 664	Provide immunity under the Engineers and Architects Regulation Act during an emergency	Krist	Judiciary		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
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	1/24/14	Referred to Committee
LB 678	Change the funding allocation percentage from 25 to 30 percent for the Affordable Housing Trust Fund	Mello	Appropriations	1/30/14	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	1/27/14	Referred to Committee
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	1/27/14	Referred to Committee
LB 686	Amend certification date relating to nonirrigated acres under the Nebraska Ground Water Management and Protection Act	Christensen	Natural Resources	1/30/14	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

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
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	1/23/14	Referred to Committee
LB 702	Change procedures for organization of cities of second class and villages	Johnson	Urban Affairs	1/28/14	Referred to Committee
LB 710	Require a public hearing before voting on a ground water augmentation project	Christensen	Natural Resources	1/30/14	Referred to Committee
LB 717	Change provisions of the Real Property Appraiser Act relating to professional qualifications	Gloor	Banking, Commerce and Insurance	1/27/14	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	1/23/14	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
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

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 760	Adopt the Combined Sewer Overflow Infrastructure Assistance Act and the Unfunded Federal Mandate Infrastructure Assistance Act	Mello	Revenue	1/29/14	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	1/30/14	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
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	1/31/14	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 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

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
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
LB 819	Change provisions relating to future advance on mortgages or trust deeds	Wightman	Banking, Commerce and Insurance	1/27/14	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	1/29/14	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	1/24/14	Referred to Committee
LB 845	Provide for regulation of meteorological evaluation towers	Schilz	Government, Military and Veterans Affairs		Referred to Committee
LB 852	Change provisions relating to asbestos regulation	Crawford	Health and Human Services		Referred to Committee
LB 856	Require water well metering for hydraulic fracturing stimulation under the Industrial Ground Water Regulatory Act	Wallman	Natural Resources		Referred to Committee
LB 867	Change provisions relating to review of sales and use tax information by municipalities	Hadley	Revenue	1/23/14	Referred to Committee
LB 870	Enact the Public Debt Recovery Program Act	Bolz	Judiciary		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
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
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 890	Change procedures and provisions relating to the acquisition of private property for a public purpose	Dubas	Judiciary		Referred to Committee
LB 894	Change provisions relating to property tax exemptions	Harr	Revenue	1/31/14	Referred to Committee
LB 896	Change provisions related to the Erosion and Sediment Control Act	Carlson	Natural Resources		Referred to Committee
LB 904	Create the Great Plains Black History Endowment Fund to support a museum and center	Kolowski	Appropriations		Referred to Committee
LB 912	Adopt the Property Tax Relief Act	Kolowski	Revenue		Referred to Committee
LB 913	Provide an income tax credit for property taxes paid on a primary residence	Kolowski	Revenue		Referred to Committee
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	Referred to Committee
LB 924	Change provisions relating to qualifying businesses under the Local Option Municipal Economic Development Act	McGill	Urban Affairs	1/28/14	Referred to Committee
LB 937	Change quorum requirements for county supervisors	Karpisek	Government, Military and Veterans Affairs		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 940	Create the Water Sustainability Fund and transfer fifty million dollars to it	Schilz	Appropriations		Referred to Committee
LB 946	Change provisions relating to county board, election commissioners, certain special elections, and officials' salaries	Murante	Government, Military and Veterans Affairs		Referred to Committee
LB 959	Provide exemption from permit application for water storage reservoirs	McGill	Urban Affairs	1/28/14	Referred to Committee
LB 964	Provide a homestead exemption for individuals who are not married	Brasch	Judiciary		Referred to Committee
LB 965	Change public policy provisions and findings required by the Nebraska Power Review Board relating to the provision of electric service	Harr	Natural Resources	1/31/14	Referred to Committee
LB 968	Provide powers for certain sanitary and improvement districts	Scheer	Urban Affairs	1/28/14	Referred to Committee
LB 979	Change provisions relating to tax sales for delinquent property taxes	Harr	Revenue		Referred to Committee
LB 980	Change provisions relating to termination of a township board	Johnson	Government, Military and Veterans Affairs		Referred to Committee
LB 985	Change provisions relating to natural resources districts and certain water appropriation regulations	Davis	Natural Resources		Referred to Committee
LB 986	Change homestead exemption income limitations	Revenue Committee	Revenue Committee		Referred to Committee
LB 996	Define state agency and require response to legislative requests for information	McGill	Executive Board		Referred to Committee
LB 1003	Allow issuance of general obligation bonds for non-revenue-producing water projects	Kolowski	Natural Resources		Referred to Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 1005	Eliminate the Interrelated Water Review Board, create the Surface Water and Ground Water Review Board, and provide powers and duties	Avery	Natural Resources		Referred to Committee
LB 1008	Update duties of the Climate Assessment Response Committee	Haar	Natural Resources		Referred to Committee
LB 1010	Adopt the Nebraska Enterprise Act	Janssen	Banking, Commerce and Insurance		Referred to Committee
LB 1011	Change the time limit on amending or repealing a municipal initiative	Janssen	Urban Affairs		Referred to Committee
LB 1012	Change provisions related to blighted areas under the Community Development Law	Schilz	Urban Affairs		Referred to Committee
LB 1013	Permit counties to regulate peddlers, hawkers, and solicitors by ordinance	Murante			Introduced
LB 1014	Change provisions for election of metropolitan utilities district board of directors	Murante			Introduced
LB 1015	Include certain fire and rescue departments under the Political Subdivisions Tort Claims Act	Kintner			Introduced
LB 1018	Change public record provisions for withholding job application materials from the public	Hadley			Introduced
LB 1019	Adopt the Development and Venture Enterprise Act	Schumacher			Introduced
LB 1038	Provide an income tax credit for certain property taxes paid on agricultural land and horticultural land	Dubas			Introduced
LB 1040	Create an energy conservation grant program	Karpisek			Introduced
LB 1043	Exempt certain deeds from the documentary stamp tax	Nelson			Introduced
LB 1044	Provide procedures for abandoned mobile homes	Schilz			Introduced

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 1049	Change provisions for actions for recovery of title or possession of real estate or foreclosure of mortgages or deeds of trust as mortgages	Wightman			Introduced
LB 1053	Provide state aid to municipalities, counties, and natural resources districts	Karpisek			Introduced
LB 1065	Eliminate secret ballot provisions under the Open Meetings Act	Lautenbaugh			Introduced
LB 1066	Require a recorded roll call vote by certain county boards	Lautenbaugh			Introduced
LB 1067	Extend the sunset dates under certain tax incentive	Hadley			Introduced
LB 1071	Provide additional rules of the road for bicycles and bikeways	Lathrop			Introduced
LB 1074	Change provisions relating to the regulation of ground water	Lathrop			Introduced
LB 1075	Prohibit employment of certain persons leaving public positions	Harr			Introduced
LB 1079	Authorize grants to certain county agricultural societies under the Civic and Community Center Financing Act	Davis			Introduced
LB 1086	Transfer cash reserve funds to the Property Tax Credit Cash Fund	Pirsch			Introduced
LB 1094	Change a fund transfer to the Property Tax Credit Cash Fund	Davis			Introduced
LB 1095	Create the Tax-increment Financing Division of the Department of Economic Development and change the Community Development Law	Davis			Introduced
LB 1096	Change provisions for expansion of a business improvement district	Ashford			Introduced
LB 1097	Change individual income tax brackets and rates and corporate income tax rates	Harr			Introduced

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 1098	Change membership and powers and duties of the Nebraska Natural Resources Commission	Carlson			Introduced
LB 1100	Create the Public Power Task Force	Harr			Introduced
LB 1104	Change farm winery licensing provisions	Watermeier			Introduced
LB 1115	Appropriate funds to the Nebraska Power Review Board for a study and state public policy	Davis			Introduced
Final Reading					
None					
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 with ER117; AM273 filed
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

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
LB 679	Change notice requirements related to zoning, redevelopment projects and neighborhood associations	Mello	Urban Affairs	1/21/14	Placed on the General File
LB 803	Change mayoral veto powers and procedures for first and second class cities	Urban Affairs Committee	Urban Affairs Committee	1/21/14	Placed on General File
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
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

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<u>LB 529</u>	Change requirements for approval of redevelopment plans	Dubas	Urban Affairs	2/12/13	Held by committee
<u>LB 557</u>	Provide for community solar gardens	McGill	Natural Resources	3/5/13	Held by committee
<u>LB 567</u>	Change provisions relating to approval of facilities and lines	Haar	Natural Resources	3/1/13	Held by committee
<u>LB 571</u>	Adopt Community Enhancement Financing Assistance Act	Harr	Revenue	2/13/13	Held by committee
<u>LB 598</u>	Change provisions relating to net metering	Larson	Natural Resources	3/5/13	Held by committee
<u>LB 622</u>	Change provisions relating to research and conservation report	Haar	Natural Resources	2/6/13	Held by committee
<u>LB 668</u>	Provide extinguishment of a lien or security interest by sale of goods subject to lien	Hadley	Banking, Commerce and Insurance	1/21/14	Held by committee
<u>LB 687</u>	Change application procedures for real estate licenses	Christensen	Banking, Commerce and Insurance	1/21/14	Held by committee