

Dirt Alert

April 8, 2013 • David C. Levy, Editor

BAIRD HOLM^{LLP}
ATTORNEYS AT LAW

103rd Nebraska Legislature, First Session: Real Estate, Renewable Energy and Municipal Law Update

The first session of the 103rd Nebraska Legislature is nearly two-thirds complete. The 90-day session is scheduled to conclude on June 5. Last week, lawmakers took on full-day debate, as committee hearings have largely concluded. Here is an update on the bills we are tracking related to real property, renewable energy and municipal law.

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|--------|---|------------|----------------|--------------|---|
| LB 3 | Change filing provisions related to nonconsensual liens | Krist | Judiciary | 1/24/13 | Placed on General File with AM351; Speaker Priority Bill |
| LB 13 | Require radon resistant construction and radon mitigation statements for residential real property | Krist | Human Services | 1/23/13 | Placed on General File with AM260; AM920 filed |
| LB 43 | Change provisions relating to property tax exemption for charitable organizations | Cook | Revenue | 3/1/13 | With committee |
| LB 66 | Authorize annexation of noncontiguous property and change provisions relating to the extension of city services | Schilz | Urban Affairs | 1/29/13 | With committee; Committee Priority Bill |
| LB 90 | Change sales and use taxes on the furnishing of electricity services | Haar | Revenue | 3/7/13 | Placed on General file; Speaker Priority Bill |
| LB 97 | Adopt Nebraska Municipal Land Bank Act | Mello | Revenue | 2/13/13 | Placed on General File with AM572; FA39 adopted; FA42 filed |
| LB 101 | Change valuation of agricultural and horticultural land | Watermeier | Revenue | 2/28/13 | With committee |
| LB 104 | Provide tax incentives for renewable energy projects | Lathrop | Revenue | 2/14/13 | Placed on General file with AM525 |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-------------|---|-----------------------------|--|---------------------|--|
| LB 140 | Provide airport hazard area dimensions, zoning regulations, penalties and appeal procedures | Krist | Government Military & Veterans Affairs | 1/25/13 | Placed on General File with AM210; Senator Krist Priority Bill |
| LB 145 | Change valuation of agricultural land and horticultural land | Brasch | Revenue | 2/28/13 | With 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 | With committee |
| LB 153 | Change provisions relating to Civic and Community Center Financing Act to allow use of funds for recreation centers and to change grant evaluation and report provisions | Dubas | Revenue | 2/13/13 | Advanced to Enrollment and Review for Engrossment |
| LB 191 | Adopt the Nebraska Job Creation and Mainstreet Revitalization Act | Nordquist | Revenue | 2/13/13 | With committee; Senator Nordquist Priority Bill |
| LB 237 | Change provisions relating to property tax exemption to add retirement community | Karpisek | Revenue | 3/1/13 | With committee |
| LB 289 | Change duration of a real estate improvement contract lien | Lathrop | Judiciary | 2/1/13 | With committee |
| LB 340 | Change hearing requirements for Power Review Board | Natural Resources Committee | Natural Resources Committee | 2/6/13 | Approved by the Governor on 4/3/13 |
| LB 348 | Change assessment of rent-restricted housing projects | Harr | Revenue | 3/1/13 | Placed on General File with AM642; Speaker Priority Bill |
| LB 373 | Change and eliminate provisions of Nebraska Prompt Pay Act | Mello | Business & Labor | 2/11/13 | With committee |
| LB 388 | Provide for construction of electronic transmission lines by incumbent owner | Natural Resources Committee | Natural Resources | 2/1/13 | Placed on Select File with ER37 |
| LB 402 | Change provisions relating to power purchase agreements | Mello | Natural Resources | 3/1/13 | Placed on General File with AM684 |
| LB 411 | Change to renewable energy tax credit | Nordquist | Revenue | 3/6/13 | With committee |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-------------|--|-------------------|-------------------------------|---------------------|--|
| LB 419 | Change Nameplate Capacity Tax provisions | Hadley | Revenue | 3/6/13 | With committee |
| LB 442 | Change provisions relating to homeowners' associations and the Nebraska Condominium Act | Schumacher | Banking, Commerce & Insurance | 3/4/13 | Placed on General File with AM570 |
| LB 482 | Prohibit state and political subdivisions from adopting certain policy recommendations | Kintner | Judiciary | 2/13/13 | With 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 | With committee |
| LB 516 | Adopt Nebraska Water Legacy Act | Carlson | Revenue | 3/15/13 | With committee |
| LB 529 | Change requirements for approval of redevelopment plans | Dubas | Urban Affairs | 2/12/13 | With committee |
| LB 557 | Provide for community solar gardens | McGill | Natural Resources | 3/5/13 | With committee |
| LB 567 | Change provisions relating to approval of facilities and lines | Haar | Natural Resources | 3/1/13 | With committee |
| LB 571 | Adopt Community Enhancement Financing Assistance Act | Harr | Revenue | 2/13/13 | With committee |
| LB 598 | Change provisions relating to net metering | Larson | Natural Resources | 3/5/13 | With committee |
| LB 622 | Change provisions relating to research and conservation report | Haar | Natural Resources | 2/6/13 | With committee |
| LR 29CA | Constitutional amendment to change provisions relate to redevelopment projects | Adams | Urban Affairs | 2/12/13 | Placed on General File with AM273; Committee Priority Resolution |

Copies of the bills and information regarding bill status and committee hearings 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 any questions about any of these bills or want more information. ■