

Dirt Alert

June 14, 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 adjourned sine die on June 5, 2013. Lawmakers passed 214 of the 661 bills introduced in this 90-day session. Below is our final update on the bills we tracked this session related to real property, renewable energy and municipal law.

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|--------------------------|--|------------|--|--------------|----------------------------------|
| Approved by the Governor | | | | | |
| LB 3 | Change filing provisions related to nonconsensual liens | Krist | Judiciary | 1/24/13 | Approved by the Governor 5/16/13 |
| LB 66 | Authorize annexation of noncontiguous property and change provisions relating to the extension of city services | Schilz | Urban Affairs | 1/29/13 | Approved by the Governor 5/29/13 |
| LB 90 | Change sales and use taxes on the furnishing of electricity services | Haar | Revenue | 3/7/13 | Approved by the Governor 6/05/13 |
| LB 97 | Adopt Nebraska Municipal Land Bank Act | Mello | Revenue | 2/13/13 | Approved by the Governor 6/04/13 |
| LB 104 | Provide tax incentives for renewable energy projects | Lathrop | Revenue | 2/14/13 | Approved by the Governor 6/04/13 |
| LB 140 | Provide airport hazard area dimensions, zoning regulations, penalties and appeal procedures | Krist | Government Military & Veterans Affairs | 1/25/13 | Approved by the Governor 5/29/13 |
| 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 | Approved by the Governor 4/24/13 |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-------------------------------|--|-----------------------------|-------------------------------|---------------------|--|
| LB 340 | Change hearing requirements for Power Review Board | Natural Resources Committee | Natural Resources Committee | 2/6/13 | Approved by the Governor 4/03/13 |
| LB 388 | Provide for construction of electronic transmission lines by incumbent owner | Natural Resources Committee | Natural Resources | 2/1/13 | Approved by the Governor 4/24/13 |
| LB 442 | Change provisions relating to homeowners' associations and the Nebraska Condominium Act | Schumacher | Banking, Commerce & Insurance | 3/4/13 | Approved by Governor 5/07/13 |
| LB 13 | Require radon resistant construction and radon mitigation statements for residential real property | Krist | Human Services | 1/23/13 | Approved by the Governor 4/03/13 |
| Placed on General File | | | | | |
| LB 191 | Adopt the Nebraska Job Creation and Mainstreet Revitalization Act | Nordquist | Revenue | 2/13/13 | 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 |
| LR 29CA | Constitutional amendment to change provisions relating to redevelopment projects | Adams | Urban Affairs | 2/12/13 | Placed on General File with AM273; Committee Priority Resolution |
| Placed on Select File | | | | | |
| 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 |
| Held by Committee | | | | | |
| LB 43 | Change provisions relating to property tax exemption for charitable organizations | Cook | Revenue | 3/1/13 | Held by committee |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|-------------|---|-------------------|-------------------|---------------------|-----------------------|
| LB 101 | Change valuation of agricultural and horticultural land | Watermeier | Revenue | 2/28/13 | Held by committee |
| LB 145 | Change valuation of agricultural 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 |
| 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 |

| Bill | Summary | Introducer | Committee | Hearing Date | Current Status |
|------------------------|--|-------------------|------------------|---------------------|------------------------|
| Indefinitely Postponed | | | | | |
| LB 289 | Change duration of a real estate improvement contract lien | Lathrop | Judiciary | 2/1/13 | Indefinitely postponed |

Copies of the bills and information regarding the final 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 any questions about any of these bills or want more information. ■

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