



# DIRT ALERT

January 28, 2020

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## 106th Nebraska Legislature, Second Session

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The Second Session of the Nebraska Legislature convened January 8, 2020. This Dirt Alert provides an update on certain bills introduced during the Second Session related to economic development, municipal law, real estate, renewable energy, taxation, and water/natural resources law. Bills of interest carried over from the First Session of the 106<sup>th</sup> Nebraska Legislature are available below the 2020 chart.

The following bills warrant particular attention:

- LB1132 would change provisions related to net metering so that a local distribution facility may charge each customer-generator that generates more than five kilowatts a separate net-metering monthly administrative fee.
- LB1205 would require public power suppliers to provide increasing amounts of renewable energy to consumers.

We testified in opposition to LB818 because it would apply an inflation factor to depreciating property.

We will provide summaries of these bills in the coming week.

Copies of all bills are available on the Nebraska Legislature's website at <http://www.nebraskalegislature.gov/bills/>. Please contact us if you have questions about these bills or any others. Thank you.

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Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<b>Economic Development</b>					
<a href="#">LB773</a>	Appropriate funds for the Rural Workforce Housing Investment Fund	Williams	Appropriations	2/12/20	Committee
<a href="#">LB794</a>	Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities	Hansen, M.	Urban Affairs	2/4/20	Committee
<a href="#">LB795</a>	Change provisions relating to enterprise zones	Hansen, M.	Urban Affairs	1/21/20	General File
<a href="#">LB866</a>	Adopt the Density Bonus and Inclusionary Housing Act	Wayne	Urban Affairs	2/4/20	Committee
<a href="#">LB885</a>	Change requirements for grant applications under the Civic and Community Center Financing Act	Bolz	Urban Affairs	1/21/20	General File
<a href="#">LB961</a>	Adopt Peer-to-Peer Vehicle Sharing Program Act	Friesen	Transportation and Telecommunications	1/28/20	General File
<a href="#">LB1034</a>	Extend the application deadline and change certain credits under the Nebraska Advantage Act	Friesen	Revenue	2/20/20	Committee
<a href="#">LB1078</a>	Adopt the Municipal Inland Port Authority Act	Wayne	Urban Affairs	2/25/20	Committee
<a href="#">LB1084</a>	Adopt the Nebraska Transformational Projects Act	Kolterman	Revenue	2/6/20	Committee
<a href="#">LB1155</a>	Adopt the Middle Income Workforce Housing Investment Act and transfer funds from the General Fund	Vargas	Urban Affairs	2/4/20	Committee
<a href="#">LB1162</a>	Adopt the Fueling State Tax Credit Act	Wishart	Revenue		Committee
<a href="#">LB1179</a>	Adopt the ImagiNE Small Business and Urban Revitalization Act	Wayne	Revenue	2/20/20	Committee
<a href="#">LB1214</a>	Adopt the Rural Economic Development Grant Act	Friesen	Revenue		Committee
<b>Energy / Renewable Energy</b>					
<a href="#">LB818</a>	Adjust the nameplate capacity tax for inflation	Brewer	Revenue	1/24/20	Committee
<a href="#">LB896</a>	Require notice of construction and expansion of structures near military installations as prescribed	Erdman	Government, Military and Veterans Affairs	1/30/20	Committee
<a href="#">LB899</a>	Provide certain powers to public power districts relating to biofuels and biofuel byproducts	Hughes	Natural Resources	1/23/20	Committee
<a href="#">LB1132</a>	Change provisions relating to net metering	Wayne	Natural Resources	2/19/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB1205</a>	Adopt the Renewable Energy Standards Act	McCollister	Natural Resources	2/13/20	Committee
<b>Governmental / Municipal Law</b>					
<a href="#">LB821</a>	Change provisions relating to city or village planning commission meetings	Brewer	Urban Affairs	1/21/20	General File
<a href="#">LB823</a>	Provide for a special election prior to the exercise of eminent domain for transmission lines in certain circumstances	Brewer	Judiciary	1/22/20	Committee
<a href="#">LB824</a>	Change provisions related to state and local building codes	Hunt	Urban Affairs	1/28/20	General File
<a href="#">LB858</a>	Change provisions of the Municipal Cooperative Financing Act	Hughes	Natural Resources	1/22/20	General File
<a href="#">LB864</a>	Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class	Wayne	Urban Affairs	2/11/20	Committee
<a href="#">LB878</a>	Redefine immediate family and change conflict of interest provisions under the Nebraska Political Accountability and Disclosure Act	Walz	Government, Military and Veterans Affairs	2/20/20	Committee
<a href="#">LB889</a>	Change appeal provisions under the Administrative Procedure Act	Hilgers	Government, Military and Veterans Affairs	1/31/20	Committee
<a href="#">LB984</a>	Provide deadlines for filing vacancies on certain city or village boards, authorities, and agencies	Hunt	Urban Affairs	2/11/20	Committee
<a href="#">LB993</a>	Change provisions regarding the number of city council members in cities adopting the city manager plan of government	Lowe	Urban Affairs	1/28/20	Committee
<a href="#">LB1003</a>	Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding	Walz	Urban Affairs	2/18/20	Committee
<a href="#">LB1033</a>	Change the distribution of sales tax revenue and authorize the use of funds for certain infrastructure projects	Friesen	Revenue	1/31/20	Committee
<a href="#">LB1057</a>	Change provisions regarding appeals of certain zoning decisions by county planning commissions and county boards	Lowe	Government, Military and Veteran Affairs	2/5/20	Committee
<a href="#">LB1068</a>	Adopt the Interior Design Voluntary Registration Act	Hunt	Government, Military and Veteran Affairs	2/13/20	Committee
<a href="#">LB1077</a>	Change legislative declarations and findings relating to traffic congestion in municipal areas	Wayne	Urban Affairs	2/25/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB1135</a>	Provide duties for a city attorney of a city of the metropolitan class and provide a prosecutorial exception for city and village attorneys	Wayne	Urban Affairs	2/4/20	Committee
<a href="#">LB1136</a>	Prescribe when an interest in a contract is prohibited and eliminate a prohibition against such interest by a public power and irrigation district board member	Williams	Government, Military and Veteran Affairs	2/20/20	Committee
<a href="#">LB1167</a>	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act	Albrecht	Government, Military and Veteran Affairs	2/20/20	Committee
<a href="#">LB1178</a>	Prohibit land banks from entering into certain agreements to temporarily hold real property	Wayne	Urban Affairs	2/11/20	Committee
<a href="#">LB1208</a>	Change provisions relating to restrictive housing, immediate segregation, discipline, and other conditions of confinement in state correctional facilities	Vargas	Judiciary	2/12/20	Committee
<b>Real Estate / Financial Transactions</b>					
<a href="#">LB767</a>	Change real property provisions on breach of warranty on improvements and provisions under the Nebraska Condominium Act	Lindstrom	Banking, Commerce and Insurance	2/11/20	Committee
<a href="#">LB834</a>	Change provisions of the Engineers and Architects Regulation Act	Arch	Health and Human Services	1/24/20	Committee
<a href="#">LB844</a>	Eliminate certain notice requirements relating to construction liens	Clement	Judiciary	1/22/20	Committee
<a href="#">LB896</a>	Require notice of construction and expansion of structures near military installations as prescribed	Erdman	Government, Military and Veterans Affairs	1/30/20	Committee
<a href="#">LB914</a>	Change rental deposits, damage, and notice of termination provisions under the Mobile Home Landlord and Tenant Act	Hunt	Judiciary	1/24/20	Committee
<a href="#">LB929</a>	Provide an exemption to the Nebraska Real Estate License Act	Lindstrom	Banking, Commerce and Insurance	2/3/20	General File
<a href="#">LB973</a>	Adopt the Homeowner Association Act	Kolowski	Urban Affairs	2/4/20	Committee
<b>Tax Increment Financing</b>					
<a href="#">LB801</a>	Change and eliminate provisions of the Community Development Law	Urban Affairs Committee	Urban Affairs	2/18/20	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB876</a>	Change provisions of the Community Development Law relating to limitations on blighted areas	Walz	Urban Affairs	2/18/20	Committee
<a href="#">LB1021</a>	Provide for an expedited review of certain redevelopment plans under the Community Development Law	Groene	Urban Affairs	2/18/20	Committee
<a href="#">LB1045</a>	Require the posting and reporting of tax incentive information under the Taxpayer Transparency Act	Brandt	Revenue	2/20/20	Committee
<b>Taxes and Tax Equalization and Review Commission</b>					
<a href="#">LB946</a>	Change the sales tax rate and impose sales tax on additional services	Briese	Revenue		Committee
<a href="#">LB1012</a>	Change provisions relating to tax exemptions for property acquired by certain tax-exempt entities	La Grone	Revenue		Committee
<b>Telecommunications</b>					
<a href="#">LB992</a> Committee Priority	Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet-related services	Friesen	Transportation & Telecommunications	2/3/20	Committee
<a href="#">LB996</a> Brandt Priority	Create the Broadband Data Improvement Program	Brandt	Transportation & Telecommunications	2/3/20	General File

### 106th Nebraska Legislature, First Session – Carryover Bills

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<b>Economic Development</b>					
<a href="#">LB68</a>	Change provisions of the Business Improvement District Act as prescribed	Hansen, M.	Urban Affairs	2/19/19	Approved
<a href="#">LB100</a>	State intent relating to an appropriation to the Nebraska State Historical Society	Wayne	Appropriations	3/1/19	Committee
<a href="#">LB136</a>	Adopt the Density Bonus and Inclusionary Housing Act	Wayne	Urban Affairs	2/19/19	Committee
<a href="#">LB187</a>	Change the Sports Arena Facility Financing Assistance Act	Lindstrom	Revenue	2/22/19	Committee
<a href="#">LB310</a>	Change procedures for tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act	Vargas	Revenue	2/13/19	Passed

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB413</a>	Change applications submission deadlines under the Nebraska Advantage Act	Brandt	Revenue	3/6/19	Committee
<a href="#">LB417</a>	Change application deadlines under certain tax incentive programs	Friesen	Revenue	3/6/19	Committee
<a href="#">LB419</a>	Change the Nebraska Advantage Act and create a fund and grant program	Bolz	Revenue	3/6/19	Committee
<a href="#">LB437</a>	Change application deadlines under the Nebraska Advantage Act	Linehan	Revenue	3/13/19	Committee
<a href="#">LB535</a>	Prohibit employment discrimination by qualified businesses under the Nebraska Advantage Act	Cavanaugh	Revenue	3/15/19	Committee
<a href="#">LB604</a>	Authorize High-Wage Jobs and Capital Investment Creation Fund entities and provide grants, loans, and economic assistance to such entities	Lindstrom	Business and Labor	2/4/19	General File
<a href="#">LB613</a>	Change application deadlines under certain tax incentive programs	Crawford	Revenue	3/6/19	Committee
<a href="#">LB720</a> Kolterman Priority	Adopt the ImagiNE Nebraska Act and provide tax incentives	Kolterman	Revenue	3/6/19	Select File
<a href="#">LB724</a>	Provide requirements for boards of directors in order to qualify for incentives under the Nebraska Advantage Act	Vargas	Revenue	3/15/19	Committee
<b>Energy / Renewable Energy</b>					
<a href="#">LB76</a>	Change provisions relating to the nameplate capacity tax	Williams	Revenue	2/8/19	Approved
<a href="#">LB241</a>	Provide for teacher mentoring program grants using income from solar and wind agreements on school lands	Bolz	Education	1/28/19	Committee
<a href="#">LB283</a>	Provide for a climate change study	Pansing Brooks	Executive Board	2/11/19	Committee
<a href="#">LB285</a>	State intent to appropriate funds to the Nebraska Power Review Board for a study and state public policy	McCollister	Natural Resources	3/14/19	Committee
<a href="#">LB366</a>	Change registration fee for alternative fuel-powered motor vehicles	Bostelman	Transportation and Telecommunications	2/26/19	Committee
<a href="#">LB373</a>	Provide setback and zoning requirements for wind energy generation projects	Brewer	Government, Military and Veterans Affairs	1/31/19	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB456</a>	Provide a sales and use tax exemption for certain machinery and equipment used to produce electricity	Lathrop	Revenue	3/14/19	Committee
<a href="#">LB509</a>	Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility	McCollister	Natural Resources	3/14/19	Committee
<a href="#">LB621</a>	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action	Kolowski	Judiciary	2/21/19	Committee
<a href="#">LB700</a> Committee Priority	Provide for decommissioning and reclamation of wind energy conversion system	Bostelman	Natural Resources	3/6/19	General File
<a href="#">LB704</a>	Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles	McCollister	Government, Military and Veterans Affairs	3/15/19	Committee
<b>Governmental / Municipal Law</b>					
<a href="#">LB20</a>	Require voter approval of public building commission bonds	Briese	Government, Military and Veteran Affairs	1/24/19	Committee
<a href="#">LB21</a>	Provide formal protest procedures for certain state contracts for services	Kolterman	Government, Military and Veteran Affairs	2/20/19	Committee
<a href="#">LB95</a>	Change applicability provisions for building codes	Wayne	Urban Affairs	2/12/19	Committee
<a href="#">LB148</a>	Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies	Groene	Government, Military and Veterans Affairs	2/6/19	Approved
<a href="#">LB150</a>	Change provisions relating to access to public records and provide for fees	Brewer	Government, Military and Veterans Affairs	2/8/19	Committee
<a href="#">LB151</a>	Adopt the Government Neutrality in Contracting Act	Brewer	Government, Military and Veterans Affairs	2/20/19	Committee
<a href="#">LB204</a>	Require approval of voters for bonds under the Interlocal Cooperation Act	Briese	Government, Military and Veterans Affairs	1/24/19	Committee
<a href="#">LB210</a>	Change independent expenditure reporting requirements and require electioneering reporting	Crawford	Government, Military and Veterans Affairs	3/13/19	Committee
<a href="#">LB242</a> Lindstrom Priority	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue	Lindstrom	Revenue	2/22/19	General File



Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB254</a>	Adopt the Fair Chance Hiring Act	McCollister	Business and Labor	2/4/19	Final Reading
<a href="#">LB261</a>	Require use of redistricting maps drawn using state-issued computer software	DeBoer	Executive Board	2/14/19	Committee
<a href="#">LB394</a>	State intent relating to an appropriation to the Department of Transportation	Wishart	Appropriations	3/21/19	Committee
<a href="#">LB412</a>	Require an election regarding creation of a joint public agency	Geist	Government, Military and Veterans Affairs	2/7/19	Committee
<a href="#">LB466</a>	Adopt the Redistricting Act	Howard	Executive Board	2/14/19	Committee
<a href="#">LB473</a>	Change revenue and taxation provisions relating to judgments against public, corporations and political subdivisions, authorize certain loans, and provide powers and duties to the State Treasurer	Dorn	Revenue	2/28/19	Committee
<a href="#">LB492</a> Committee Priority	Adopt the Regional Metropolitan Transit Authority Act	Wayne	Urban Affairs	2/26/19	Certificate
<a href="#">LB581</a>	Require the use of generally accepted accounting principles in preparing budgets under the Nebraska Budget Act	Albrecht	Government, Military and Veterans Affairs	3/20/19	Committee
<a href="#">LB731</a>	Change provisions relating to new or updated comprehensive plans adopted by municipalities	Hunt	Urban Affairs	3/5/19	Approved
<a href="#">LB736</a>	Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities	Murman	Government, Military and Veterans Affairs	2/28/19	Committee
<b>Healthcare</b>					
<a href="#">LB89</a>	Change certain marijuana penalties	Wayne	Judiciary	3/20/19	Committee
<a href="#">LB110</a> Wishart Priority	Adopt the Medical Cannabis Act	Wishart	Judiciary	1/25/19	General File
<a href="#">LB216</a>	Prohibit releasing a person in custody to avoid medical costs	Kolterman	Judiciary	2/6/19	Committee
<a href="#">LB457</a>	Define and redefine terms relating to industrial hemp under the Uniform Controlled Substances Act	Lathrop	Judiciary	2/13/19	General File
<a href="#">LB597</a>	Require reporting incidents and development of policies for assisted-living facilities	Walz	Health and Human Services	3/1/19	Committee



Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB659</a>	Remove cannabidiol from list of controlled substances	Wayne	Judiciary	2/20/19	Committee
<b>Liquor</b>					
<b>Real Estate / Financial Transactions</b>					
<a href="#">LB28</a>	Authorize damages for property taxes and special assessments paid on property lost through adverse possession	Kolterman	Judiciary	1/24/19	General File
<a href="#">LB30</a>	Change and eliminate provisions under the Professional Landscape Architects Act	Kolterman	Government, Military and Veteran Affairs	1/25/19	Approved
<a href="#">LB85</a>	Provide for a rental housing inspection program for a city of the metropolitan class of a city of the primary class	Wayne	Urban Affairs	1/22/19	General File
<a href="#">LB188</a>	Change the rate of interest charged on loans under the Nebraska Installment Loan Act	Lindstrom	Banking, Commerce and Insurance	1/29/19	Select File
<a href="#">LB265</a>	Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act	La Grone	Banking, Commerce and Insurance	3/12/19	Committee
<a href="#">LB317</a>	Eliminate Public Service Commission inspection authority under the Nebraska Uniform Standards for Modular Housing Units Act and eliminate applicability and references to manufactured homes under the Uniform Standard Code for Manufactured Homes and Recreational Vehicles and rename the code	Kolterman	Urban Affairs	2/5/19	Committee
<a href="#">LB379</a> Speaker Priority	Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act	Kolterman	Banking, Commerce and Insurance	3/12/19	General File
<a href="#">LB393</a>	Increase the documentary stamp tax	Groene	Revenue	2/8/19	Committee
<a href="#">LB395</a>	Change landlord's power of possession provisions in cases of domestic violence	Hansen, M.	Judiciary	3/1/19	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB396</a>	Change landlord and tenant provisions relating to continuances and rental deposits	Hansen, M.	Judiciary	3/1/19	General File
<a href="#">LB407</a>	Grant in-state credit unions powers of out-of-state credit unions as prescribed	Lindstrom	Banking, Commerce and Insurance	2/26/19	Committee
<a href="#">LB424</a> Stinner Priority	Change the Nebraska Municipal Land Bank Act	Quick	Urban Affairs	2/19/19	General File
<a href="#">LB523</a>	Provide a documentary stamp tax exemption for certain deeds and property tax exemption for certain charitable organizations	Linehan	Revenue	2/8/19	Committee
<a href="#">LB602</a>	Adopt the Domestic Stock Insurance Company Division Act	Lindstrom	Banking, Commerce and Insurance	3/12/19	Committee
<a href="#">LB633</a>	Change provisions relating to real property owner information available to the public	Wishart	Government, Military and Veterans Affairs	3/1/19	Committee
<a href="#">LB689</a>	Prohibit discrimination by a seller of landlord on the basis of sexual orientation, gender identity, or citizenship status in any real estate transaction or lease	Cavanaugh	Judiciary	3/1/19	Committee
<b>Tax Increment Financing</b>					
<a href="#">LB432</a>	Include tax-increment financing valuation in adjusted valuations for purposes of state aid to schools and change school district levy authority	Groene	Education	3/5/19	Committee
<a href="#">LB648</a>	Change the Community Development Law	Wayne	Urban Affairs	3/5/19	Committee
<b>Taxes and Tax Equalization and Review Commission</b>					
<a href="#">LB158</a>	Change provisions relating to the assessed value of real property	Brewer	Revenue	1/24/19	Committee
<a href="#">LB250</a>	Change provisions relating to agricultural land and horticultural land receiving special valuations	Walz	Revenue	1/30/19	Committee
<a href="#">LB289</a> Committee Priority	Change provisions relating to county assessor inspections of real property for property tax purposes	Linehan	Revenue	4/24/19	General File
<a href="#">LB314</a>	Adopt the Remote Seller Sales Tax Collection Act and change revenue and taxation provisions	Briese	Revenue	2/14/19	Committee

Bill	Summary	Introducer	Committee	Hearing Date	Current Status
<a href="#">LB349</a>	Provide sales and use tax collection duties for certain peer-to-peer rentals of vehicles	Friesen	Revenue	3/14/19	Committee
<a href="#">LB493</a>	Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act	Wayne	Revenue	2/28/19	Committee
<a href="#">LB507</a>	Impose sales tax on certain services and eliminate sales tax exemptions	Briese	Revenue	3/1/19	Committee
<a href="#">LB508</a>	Impose sales and use taxes on certain services, eliminate sales tax exemptions, and use the increased revenue for property tax credits	Briese	Revenue	3/1/19	Committee
<a href="#">LB601</a>	Change a property tax exemption relating to educational, religious, charitable, and cemetery organizations	Lindstrom	Revenue	3/27/19	Committee
<a href="#">LB614</a>	Change revenue and taxation provisions	Crawford	Revenue	3/1/19	Committee
<b>Telecommunications</b>					
<a href="#">LB208</a>	Provide an exception for leasing dark fiber or providing certain telecommunications and related services by a state agency or political subdivision	Walz	Transportation and Telecommunications	2/4/19	Committee
<a href="#">LB401</a>	Adopt the Midwest Interstate Passenger Rail Compact	Quick	Transportation and Telecommunications	3/5/19	Committee