

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION
2008**

COMMITTEE STATEMENT

LB923

Hearing Date: January 24, 2008

Committee On: Natural Resources

Introducer(s): (Dubas)

Title: Change provisions relating to energy easements

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

6 Yes Senators Carlson, Christensen, Dubas, Fischer,
Louden, Wallman

0 No

2 Absent Senators Hudkins, Kopplin

0 Present, not voting

Proponents:

Senator Annette Dubas
Ken Winston
John K. Hansen
Tim Texel
Keith Dittrich
Gale Lush

Representing:

Introducer
Nebraska Chapter, Sierra Club
Nebraska Farmers Union
Nebraska Power Review Board
American Corn Growers Association
Self

Opponents:

Jay Rempe
Dan Alberts

Representing:

Nebraska Farm Bureau Federation
Third Planet Wind LLC

Neutral:

None

Representing:**Summary of purpose and/or change:**

LB 923 does the following:

Section 1 Changes a statutory reference.

Section 2 Prohibits the severing of wind rights or solar rights from land. Allows the interest to be leased for a period of fifty years. Provides for a termination of the lease if no development of the potential to produce energy from wind or solar power has occurred within five years after the lease begins. Requires the payment on the lease to be annually.

Section 3 Technical correction changing "easements" to "easement". Limits the easement to a term not to exceed fifty years, and removes the language regarding a perpetual easement.

Section 4 Technical correction of changing subparagraphs from numerical to alphabetical. Automatically voids the easement if no development occurs within five years from the start of the lease term. Requires the payments be made annually.

Section 5 Repealer.

Explanation of amendments, if any:

None

Senator LeRoy Loudon, Chairperson