

Legislative Update

9/15/2020



Agenda

- State Legislative Update
- Federal Legislative Update

State Legislative Update



General Overview of the 106th State Session

- Long session 2019
 - January 9 - May 31
 - 739 bills introduced
 - 44 “A” bills
 - 255 approved by the Governor
 - 257 bills became law (2 constitutional amendments)
- Short session 2020
 - January 8 - March 12
 - March 23 – 25 - Reconvened to appropriate funds to the emergency COVID fund
 - July 20 – August 13 - Reconvened to finish the session
 - 483 bill introduced
 - 68 “A” bills introduced
 - 492 carry over bills
 - 132 approved by the Governor

OPPD Focus

18 priority bills with positions
19 significant interest monitor
81 general interest monitor

Legislation – Priority Status

Bill & Current Status	Summary
LB 283 Pansing Brooks	Provide for a climate change study
<i>Monitor</i>	1/15/19 Introduced, 1/18/19 Referred to Executive Board, 2/11/19 Hearing held, 1/24/20 Vargas AM2116 filed, 2/19/20 Placed on General File, 2/21/20 McCollister priority bill, on General File – debate held, motion to call the question failed <i>We are supportive of the concept, however monitoring at the current time due to easement/eminent domain language and source of funds, 8/13/20 Indefinitely postponed</i>
LB 627 Pansing Brooks	Prohibit discrimination based upon sexual orientation and gender identity
<i>Support</i>	1/23/19 Introduced, 1/25/19 Referred to Judiciary Committee, 2/7/19 Hearing held, 3/5/19 Chair ruled there had not been full and fair debate on the advancement of the bill. 3/5/19 Motion to overrule the chair failed, 2/19/20 Pansing Brooks priority bill, 8/13/20 Indefinitely postponed
LB 720 Kolterman	Adopt the ImagiNE Nebraska Act and provide tax incentives
<i>Support</i>	1/23/2019 Introduced. 1/25/2019 Referred to Revenue Committee, 2/12/2019 Kolterman priority bill, 3/6/2019 Hearing Held, 4/5/2019 Kolterman AM1198 filed, 5/10/2019 Placed on General File with AM1614, 5/15/2019 various amendments introduced, 5/22/2019 Advanced to Select File with ER136, 5/24/2019 Kolterman MO108 invoke cloture failed, 1/8/20 Kolterman priority bill, 1/30/20 Kolterman AM2207 filed, 2/6/20 Special Hearing on AM2207, 2/27/20 Attorney General Opinion 20-004 to Brandt, debate held on Select File, no vote held. 8/5/20 amended into LB 1107, 8/17/20 Signed by Governor.
LB 899 Hughes	Provide certain powers to public power districts relating to biofuels and biofuel byproducts
<i>Support</i>	1/9/20 Introduced, 1/13/20 Referred to Natural Resources Committee, 1/23/20 Hearing held, 2/18/20 Moser priority bill, 3/5/20 Advanced to Select File, on Final Reading, 8/6/20 Signed by Governor

Legislation – Priority Status

Bill & Current Status	Summary
LB 923 Lindstrom	Change sales tax provisions relating to gross receipts
<i>Support</i>	1/10/20 Introduced, 1/13/20 Referred to Revenue Committee, 1/30/20 Hearing held, 2/4/20 Placed on General File, 2/25/20 Speaker priority bill, debate held on Select File, Wayne amendment failed 38-2, on Final Reading, 8/15/20 Signed by Governor
LB 933 Crawford	Change provisions relating to discontinuance of utility service
<i>Support</i>	1/10/20 Introduced, 1/13/20 Referred to Natural Resources Committee, 1/27/20 Vargas name added. 2/27/20 Placed on General File, amended into LB632 on Select File, 8/17/20 Signed by Governor
LB 992 Friesen	Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet -related services
<i>Monitor</i>	1/14/20 Introduced, 1/15/20 Referred to Transportation and Telecommunications Committee, 2/3/20 Hearing held, 2/5/20 Transportation and Telecommunications Priority Bill, 2/27/20, amendment added with OPPD input, on Select File, 8/15/20 Signed by Governor
LB 1132 Wayne	Change provisions relating to net metering
<i>Oppose</i>	1/22/20 Introduced, 1/24/20 Referred to Natural Resources Committee, 2/19/20 Hearing held, 8/6/20 Indefinitely postponed
LB 1205 McCollister	Adopt the Renewable Energy Standards Act
<i>Oppose</i>	1/23/20 Introduced, 1/27/20 Referred to Natural Resources Committee, 2/13/20 Hearing held, 8/6/20 Indefinitely postponed
LB 1198 Stinner	Appropriate funds for the Governor’s Emergency Program – COVID-19
<i>Support</i>	1/23/20 Introduced, 1/27/20 Referred to Appropriations Committee, 2/4/20 Hearing held, 2/27/20 Placed on General File, 3/23/2020 Advanced to Select File, 3/25/2020 Advanced to Final Reading, 3/25/20 Signed by the Governor

Interim Studies

Resolution number & status	Summary
LR 317 Kolterman	To carry out section 13-2402 which requires the Nebraska Retirement Systems Committee to monitor defined benefit plans administered by political subdivisions
	7/30/20 Referred to Nebraska Retirement Systems Committee. 11/6/20 Hearing scheduled
LR 333 McDonnell	To examine the possibility of placing one or more reservoirs on the Platte River and its tributaries for the purpose of flood control, hydroelectric energy, recreation, economic development, and environmental stewardship.
	7/30/20 Referred to Natural Resources Committee
LR 408 HHS Committee	To examine issues associated with the economic stimulus funds that were provided by the CARES Act as a result of the COVID-19 pandemic
	7/30/20 Referred to Health and Human Services
LR 411 HHS Committee	To provide continued oversight of and updates regarding the response of the Dept. of Health and Human Services to the COVID-19 pandemic
	7/30/20 Referred to Health and Human Services

Interim Studies

Resolution number & status	Summary
LR 429 DeBoer	To examine issues related to mapping broadband coverage throughout Nebraska.
	7/30/20 Referred to Transportation and Telecommunications Committee.
LR 438 Friesen	To continue to monitor the activities of the Rural Broadband Task Force that was created by Laws 2018, LB 994.
	7/30/20 Referred to Transportation and Telecommunications Committee.
LR 440 Friesen	To examine existing laws, rules and regulations related to excavation, in particular regarding underground facilities.
	7/30/20 Referred to Transportation and Telecommunications Committee.
LR 466 Pansing Brooks	Provide the Legislature affirm the United States Supreme Court decision in Bostock v. Clayton County which determined that an employer who fires an individual merely for being gay or transgender violates Title VII of the Civil Rights Act of 1964. (acknowledges the state of Nebraska agrees with decision)
	8/12/20 President signed

What is next until 107th session starts?

- Senator Briefings – On-going
- Natural Resources Committee touchpoints
- Monitor Committee Changes
 - Senator letters of intent sent
 - Halloran – Agriculture (current chair)
 - Williams – Banking, Commerce and Insurance (current chair)
 - Gragert – Natural Resources Committee (Hughes current chair)
- Elections
- Internal review of policy needed (proactive OPPD Legislative agenda and work plan) – Now through October

Federal Legislative Update



Key items of interest for Capitol Hill and the White House

Presidential debate

- The first debate of the general presidential election is set to occur on September 29, jointly hosted by the Cleveland Clinic and Case Western Reserve University in Cleveland, OH
- Organizers have not announced a firm plan for hosting the debate during the COVID-19 pandemic

Upcoming legislative deadlines

- Congress must pass 12 appropriations bills before the end of the fiscal year on September 30; the House has passed 10 bills through two minibuss packages, while the Senate has yet to pass any
- Both the House and Senate have introduced proposals for FAST Act reauthorization, which is also set to expire on September 30



Coronavirus relief negotiations

- Efforts to restart coronavirus talks occurred last week after negotiations stalled in early August
- Democrats are pushing for a relief package around \$2 trillion, one trillion less than the House proposal passed in May
- GOP Senate leaders hope to vote next week on “targeted” or “skinny” relief bill, likely to receive pushback from Democrats in both chambers

USPS legislation

- On August 22, the House passed legislation with a 257-150 vote that would allocate \$25 billion in funding to the Postal Service
- Although some Senate Republicans are in favor of a direct appropriation, Senate Majority Leader Mitch McConnell (R-KY) said he did not intend to hold a vote for the bill

Congressional Outlook – 2020

Topic	Expiration date	Description
FISA Reauthorization	March 15, 2020	<ul style="list-style-type: none"> The “roving wiretap,” “lone wolf,” and “business records,” provisions, and the “call detail records” program—were temporarily extended in the 2019 Continuing Resolution but are currently expired
Annual Appropriations		<ul style="list-style-type: none"> Hearings have begun in House/Senate subcommittees, but COVID could delay negotiations
Surface Transportation	Sept. 30, 2020	<ul style="list-style-type: none"> The 2015 FAST Act provided funding for 5 years and authorizes certain highway and public transit programs
Nat'l Flood Insurance Reauthorization		<ul style="list-style-type: none"> National program was last reauthorized for full five years in 2012 Reauthorized on short-term basis since 2017
TANF & CCES Reauthorization	Nov. 30, 2020	<ul style="list-style-type: none"> Temporary Assistance for Needy Families (TANF) programs and the Child Care Entitlement to States (CCES) provide child care assistance for low-income families
Health Extenders		<ul style="list-style-type: none"> Various Medicare and Medicaid policies are set to expire, including the community mental health services demonstration program
Nat'l Defense Re-Authorization	Dec. 31, 2020	<ul style="list-style-type: none"> Reauthorizes annual Defense programs and sets top-line budgets

Sources: Committee for a Responsible Federal Budget; Politico, National Journal.