



Government Affairs Update

11/15/22

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State Legislative Update



2022 Nebraska Legislature Elections

- 24 Legislative seats up for election, including 13 open seats in which the current Senator is either term-limited, or chose not to seek another term. 11 Senators are seeking a second term. The General Election will take place on Tuesday, November 8th.
 - Half of the seats up for election every other year, rotating even and odd numbered districts.
- Along with half of the members of the Legislature, the governorship is also an open seat as Governor Ricketts is term limited. Unlike the Legislature, the Governors' races are partisan, but have the same term lengths and limits.

2023 Nebraska Legislative Calendar

Nebraska's 108th Legislature, First Session

- 90-day session
- January 4th – First day of session
- January 18th – Last day of bill introduction
- Other key items TBD based on Speaker & Committee Appointments
- June 9th – Sine Die
 - The calendar is subject to revision by the Speaker of the 108th Legislature, but will be finalized and distributed before January 4th.

Interim Study Hearings

- LR 295 – study to monitor underfunded defined benefit plans administered by the political subdivisions as required by 13-2402. Hearing scheduled 11/22/22.
- LR 330 – study to determine what percentage should be used to forecast revenue when preparing fiscal notes and determine if state agencies or political subdivisions should use the same percentage. Hearing held 11/4/22.
- LR 401 – study to review the administration of the Nebraska Broadband Bridge Act. Hearing scheduled 12/13/22.
- LR 418 – study to examine the sales tax system in Nebraska with respect to exemptions provided to various industries. Tim O'Brien was invited to testify. Tim represented the Nebraska Economic Developers Association and OPPD. Hearing held 10/28/22.

2023 OPPD Legislative Bills

These issues have been brought to the forefront to have OPPD take a leading role to champion. We view this process as a 2-year journey.

- **Broadband** – Seek to repeal the dark fiber statutes to help expand broadband coverage across the state. This could also incorporate a repeal of the challenge of safe harbor rates under LB992.
- **Critical/essential utility workers** - seek to have defined as emergency personnel in declared emergencies in order to protect our communities while ensuring continuity of functions critical to public health and safety.
- **Weatherization funding** – seek state funding for weatherization efforts to upgrade more homes in order to lower utility bills permanently.

Next Steps

- Update legislative preview after elections
- Continue Senator and stakeholder meetings
- Nebraska Power Association (NPA) legislative subcommittee meetings and retreat
- Continue interim hearings



Federal Legislative Update



Federal Update

- Congress returns from mid-term elections/recess November 14th.
 - Several issues that must be addressed during the lame duck session include hurricane relief, government funding past December 16th, and the National Defense Authorization Act.
 - Other issues that may come up include permitting reform, electoral certification reform, tax break extensions, and Ukraine military aid.
- New rulemaking process continues for federal agencies tasked with implementing Inflation Reduction Act of 2022 programs and funding.
 - Most new programs and rules fall under Dept. of Treasury and IRS.
- 14,316 bills introduced in the 117th Congress as of November 2nd.