



# State and Federal Legislative Update Board Committee Meeting – 4/14/2020

Created 4/10/2020

# Agenda

- State Legislative Update
- Federal Activity & Legislative Update

# State Legislative Update



# State Legislative Status

- Speaker will reconvene for the remaining 17 days of the 2020 session
  - 3-week session
  - First two weeks will be Monday-Saturday
  - Third week being Monday-Friday
  - Either get the 3 weeks in by April 24, or
  - Will not reconvene until after the primary elections (May 12).
  - Memorial Day is May 25
- Priorities
  - Budget
  - State Claims
  - Other bills deemed have to pass
  - Not all priority bills may be heard

# Overview of Emergency Funding for COVID-19

- The legislature passed and the Governor signed LB1198 for emergency funds for COVID-19
- \$83,619,600
  - DHHS Public Health Local Response Efforts - \$38,156,700
  - DHHS Staffing - \$4,004,000
  - Surge Staffing for Veterans Hospitals & DHHS Care Facilities - \$13,000,000
  - UNMC COVID-19 Lab Testing - \$515,000
  - Lab Equipment, Software Programming and Personnel - \$2,500,000
  - UV Light Boxes - \$100,000
  - Knowledge Center - \$343,900
  - Ready Reserve- \$25,000,000

# 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, <b>2/21/20 McCollister priority bill</b> <i>We are supportive of the concept, however monitoring at the current time due to easement/eminent domain language and source of funds</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, <b>2/19/20 Pansing Brooks priority bill</b>
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, <b>2/12/2019 Kolterman priority bill</b> , 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
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, <b>2/18/20 Moser priority bill</b> , 3/5/20 Advanced to Select File

# 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
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 General File – <b>Natural Resources Committee priority bill</b>
LB 992 Friesen	Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet -related services
<i>Oppose – May move to neutral/monitor if easement language amended</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 Attorney General Opinion 20-003 to Friesen – <b>Transportation and Telecommunications Committee priority bill</b>
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
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

# Federal Activity & Legislative Update





# Federal Legislative Overview

- 116<sup>th</sup> Congress - January 3, 2019 to January 3, 2021
- COVID-19
- Election year
- More than 10,000 bills in House and Senate – as of April 2, 2020
- Topics we continue to follow/educate
  - COVID-19 & Stimulus Focus
    - Infrastructure
    - Climate change
    - Environmental
    - Distributed generation and renewables
    - Other items such as cyber security, supply chains, disaster response and taxes

# COVID-19 Federal Stimulus Legislation

- Congress has already passed 3 coronavirus bills
  - Bill 1: \$8.3 billion
  - Bill 2: >\$100 billion
  - Bill 3: ~\$2 trillion
    - Paid Sick Time and Paid Family Medical Leave
    - Small Business Loans
    - Emergency Unemployment Relief for Governmental Entities
    - Delay of payment of employer payroll taxes
    - Economic Stabilization Fund
    - Coronavirus Relief Funds
    - Low-Income Home Energy Assistance (LIHEAP)
    - Federal Emergency Management Administration

# Stimulus Topics proposed for 4<sup>th</sup> bill (as of April 8, 2020)

Senate Majority Leader Mitch McConnell

- \$250 billion in small business funding/Paycheck Protection Program

House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer

- \$125 billion of the \$250 billion going to "community-based financial institutions that serve farmers, family, women, minority and veteran-owned small businesses and nonprofits in rural, tribal, suburban and urban communities across our country"
- \$100 billion for hospitals
- \$150 billion for state and local governments
- Increase in Supplemental Nutrition Assistance Program (SNAP) benefits
- Essential workers such as hospital workers, transit workers, drivers and grocery store clerks a pay boost
- Recruitment incentive for home and health care workers and first responders

# Stimulus Topics proposed for 4th bill (as of April 9, 2020)

An effort to pass a narrowly crafted fourth coronavirus response bill stalled Thursday (April 9) in the Senate. Senate Majority Leader Mitch McConnell (R-KY) sought unanimous consent to take up and pass the Paycheck Protection Program Increase Act, which would increase funding for the small business loan program by \$250 billion. This effort failed when Senator Chris Van Hollen (D-MD) objected and offered the Democrats' own plan to spend an additional \$250 billion on hospitals and local governments that they want coupled with the \$250 billion small business aid. Senator McConnell objected to that request. Congressional leaders are now expected to begin negotiations. The hope is to come to an agreement by Monday. OPPD will continue to monitor these negotiations.

# Stimulus Topics proposed for 5<sup>th</sup> bill (as of April 10, 2020)

- Increased food stamp benefits
- Increased coverage for coronavirus testing, visits to the doctor, and treatment
- More money for state and local governments
- Expanded family and medical leave
- Pension fixes
- Stronger workplace protections
- Green energy tax credits and other issues
- Fossil fuel subsidies
- Tax issues
- Infrastructure
- Mandatory shutoffs moratoriums
- Recovery funds for businesses
- COVID-19 Commission
- PFAS contamination
- Nuclear PTC
- Help for advertisement slow down
- Assistance for mortgage markets
- Larger loans for hotels
- Insurance programs for restaurants
- \$600 billion for Agencies
- \$ out faster

# Moving Forward Framework – Green Infrastructure Package

- Released on 1/28/20
- The framework includes a total investment of \$760 billion over five years.
  - \$329 billion – would go toward modernizing the country's network of highways.
  - \$105 billion would go toward improving public transit, including through investment in zero-emission buses to reduce carbon pollution.
  - \$34.3 billion would be funneled toward clean energy, including efforts to modernize the electric grid and build more electric vehicle charging stations.
  - \$34.4 billion would be allocated to drinking water, including through funding to local communities to deal with contamination from per- and polyfluoroalkyl substances (PFAS).
- Tax title – reinstate the ability to issue direct payment bonds, akin to Build America Bonds. The framework specifies that direct payments to issuers of these bonds would not be subject to budget sequestration.
- The framework would also reinstate the ability to issue advance refunding bonds.

# Climate Leadership and Environmental Action for Our Nation's (CLEAN) Future Act

- Released on 1/28/20
- Broad sweeping proposal in eight sectors:
  - Power
  - Building
  - Transportation
  - Industrial
  - National Climate Target for Federal Agencies
  - State Climate Plans
  - National Climate Bank
  - Environmental Justice
- 622 page proposal
- Under review by OPPD Subject Matter Experts (SMEs)
- Committee Summary in Diligent

# Green Energy Tax Bill

- House Ways and Means plan to clear a green energy tax break proposal
- May include
  - Expansion of the existing tax credit for electric vehicle buyers, derived from legislation that would keep the credit available for the first 600,000 electric vehicles sold per carmaker.
  - Tax breaks for solar, wind, geothermal and other non-fossil fuel energy sources.



# Carbon Tax Legislation

- H.R. 763 - Energy Innovation and Carbon Dividend Act
- S. 940 & H.R. 1960 - Healthy Climate and Family Security Act
- S. 1128 - American Opportunity Carbon Fee Act
- S. 2284 & H.R. 4051 - Climate Action Rebate Act
- H.R. 4058 - Stemming Warming and Augmenting Pay Act
- H.R. 3966 - Raise Wages, Cut Carbon Act
- H.R. 4142 - America Wins Act
- H.R. 4520 - MARKET CHOICE Act
- H.R. 5457 - Carbon Reduction and Tax Credit Act

# Senate Energy Bill – American Energy Innovation Act

- Energy and Water Performance Requirements for Federal Buildings
- Use of Energy and Water Efficiency Measures in Federal Buildings
- Better Energy Storage Technology
- Enhancing Grid Security Through Public-Private Partnerships
- Enhanced Energy Efficiency Measures
- Enhanced Renewable Energy Incentives and R&D
- Enhanced Storage Capabilities and R&D
- Carbon, Capture, Utilization, and Storage Measures
- Nuclear issues
- Cybersecurity and Grid Security
- Grid Modernization
- Energy Workforce Development