

State and Federal Legislative Update

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State Legislative Update



2020 Nebraska Legislative Calendar

Nebraska's 106th Legislature

- January 8th – Legislature convenes at 10 a.m.
- January 13th – Debate on carry-over legislation begins
- January 21st – Public hearings begin
- January 23rd – Last day of bill introduction
- February 19th – Deadline for Speaker priority requests
- February 21st – Deadline for designation of committee and senator priority bills
- February 25th – Speaker priority bills announced prior to adjournment
- February 27th – Date to complete committee public hearings on introduced bills
- March 3rd – Full-day debate
- April 23rd – Day 60, sine die

State Legislative Status

- 20 of 60 days complete
- More than 500 new bills introduced
- Monitoring more than 75 bills
- Topics related to OPPD and our industry:
 - Data privacy
 - Economic development – taxes and workforce
 - Decarbonization Study/Renewable Portfolio Standard (RPS)
 - Broadband
 - Home Owners Association (HOA) governance
 - Linda’s Law – Medical shutoffs
 - LB218 fix for rural electric cooperatives
 - Governance for MEAN/NMPP
 - Non-traditional fuels
 - Electric vehicles
 - Net metering
 - Others that will arise

2020 Legislation – Priority Status

Bill & Current Status	Summary
LB 818 Brewer	Adjust the nameplate capacity tax for inflation
<i>Oppose</i>	1/8/20 Introduced, 1/10/20 Referred to Revenue Committee, 1/24/20 Hearing held
LB 832 Brewer	Provide for a special election prior to the exercise of eminent domain for transmission lines in certain circumstances
<i>Oppose</i>	1/8/20 Introduced, 1/10/20 Referred to Judiciary Committee, 1/22/20 Hearing held
LB 896 Erdman	Require notice of construction and expansion of structures near military installations as prescribed
<i>Monitor</i>	1/9/20 Introduced, 1/13/20 Referred to Government, Military and Veterans Affairs Committee, 1/30/20 Hearing held
LB 898 Friesen	Provide for the collocation of certain wireless facilities
<i>Oppose</i>	1/9/20 Introduced, 1/13/20 Referred to Transportation and Telecommunications Committee, 2/3/20 Hearing held
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
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

2020 Legislation – Priority Status

Bill & Current Status	Summary
LB 933 Crawford	Change provisions relating to discontinuance of utility service
<i>Monitor</i>	1/10/20 Introduced, 1/13/20 Referred to Natural Resources Committee, 1/27/20 Vargas name added
LB 992 Friesen	Adopt the Broadband Internet Service Infrastructure Act and provide for certain broadband and Internet -related services
<i>Oppose</i>	1/14/20 Introduced, 1/15/20 Referred to Transportation and Telecommunications Committee, 2/3/20 Hearing held
LB 1132 Wayne	Change provisions relating to net metering
<i>TBD</i>	1/22/20 Introduced, 1/24/20 Referred to Natural Resources Committee
LB 1205 McCollister	Adopt the Renewable Energy Standards Act
<i>TBD</i>	1/23/20 Introduced, 1/27/20 Referred to Natural Resources Committee

2019 “Hold Over” 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
LB 285 McCollister	State intent to appropriate funds to the Nebraska Power Review Board for a study and state public policy
<i>Oppose</i>	1/17/19 Introduced, 1/17/19 Referred to Natural Resources Committee, 3/14/19 Hearing held
LB 373 Brewer	Provide setback and zoning requirements for wind energy generation projects
<i>Oppose</i>	1/16/19 Introduced, 1/18/19 Referred to Government, Military and Veteran Affairs Committee, 1/31/19 Hearing held, 3/5/19 Brewer AM428 filed, 5/30/19 Attorney General Opinion 19-008 to Brewer
LB 509 McCollister	To redefine net metering and qualified facility; to change a provision relating to powers and duties of a local distribution utility
<i>Support of AM624</i>	1/22/19 Introduced, 1/24/19 Referred to Natural Resources Committee, 3/14/19 Hearing held
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

2019 “Hold Over” Legislation – Priority Status

Bill & Current Status	Summary
LB 678 Vargas	Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality
<i>Support</i>	1/23/19 Introduced, 1/25/19 Referred to Appropriations Committee, 3/20/19 Hearing held, 3/31/19 Provisions/portions of LB678 amended into LB294 by AM1329
LB 700 Bostelman	Provide for decommissioning and reclamation of a wind energy conversion system
<i>Monitor</i>	1/23/2019 Introduced, 1/25/2019 Referred to Natural Resources Committee, 3/6/2019 Hearing Held, 3/19/2019 Natural Resources Priority Bill, 3/27/2019 Wayne MO36 indefinitely postpone filed, 4/5/2019 Placed on General File with AM1098.
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

Federal Activity & Legislative Update



Federal Activity

Three key areas of activity:

- Monitor and lobbying on Federal policy
- Monitor and engage with Agencies and Regulations
 - Department Of Energy, Environmental Protection Agency, Department of Interior, Nuclear Regulatory Commission, Federal Energy Regulatory Commission, Department of Homeland Security
- Education and Coalition Building

Strategic Partnerships

American Public Power Association (APPA)

Government Relations Working Group (past chair), Advisory Committee,
Other task forces

Large Public Power Council (LPPC)

Government Relations Task Force, Cyber Security Task Force,
Environmental Task Force, Tax and Finance Task Force, Energy Regulation
Task Force

Nuclear Energy Institute (NEI)

Standing Government Affairs Committee

Federal Legislative Overview

- 116th Congress - January 3, 2019 to January 3, 2021
- Election year
- More than 9,000 bills in House and Senate
- Topics we continue to follow/educate
 - Infrastructure
 - Oversight
 - Climate change
 - Environmental
 - Distributed generation and renewables
 - Many other items such as cyber security, supply chains, disaster response and taxes

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)

Policy Updates

- Moving Forward Framework – Green Infrastructure Package
 - Released on 1/28/20
 - Funding roads, transit, rail, aviation, broadband, wastewater and drinking water infrastructure
- Green Energy Tax Bill
 - Anticipated release in March
 - May include expansion of the existing tax credit for electric vehicle buyers
 - May include tax incentives for solar, wind, geothermal and other non-fossil fuel energy sources
- Various Carbon Tax Proposals