State and Federal Legislative Update
1/19/2021
Tim O’Brien, Director – Economic Development & External Relations
Legislative Update

Where we have been

• Elections
• Work Plan and Refinements
• Industry Alignment
  – Planning sessions with Nebraska Power Association
• Potential Legislation
• Senator & Stakeholder Meetings
State Legislative Update
Look back at the 2020 - 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
Look forward - 2021 Nebraska Legislative Calendar

Nebraska’s 107th Legislature

• January 6th – Legislature convened at 10 a.m.
• January 20th – Last day of bill introduction
• January 25th – All day public hearings begin
• TBD – Deadline for Speaker priority requests
• TBD – Deadline for designation of committee and senator priority bills
• TBD – Speaker priority bills announced prior to adjournment
• TBD – Date to complete committee public hearings on introduced bills
• TBD – Full-day debate
• June 10th – Day 90, sine die
2021 Committee and Committee Chairs

• Speaker – Senator Hilgers
• Executive Committee – Senator Dan Hughes
• Agriculture – Senator Steve Halloran
• Appropriations – Senator John Stinner
• Banking, Commerce and Insurance – Senator Matt Williams
• Business and Labor – Senator Ben Hansen
• Education – Senator Lynn Walz
• General Affairs – Senator Tom Briese
• Government, Military and Veterans Affairs – Senator Tom Brewer
• Health and Human Services – Senator John Arch
• Judiciary – Senator Steve Lathrop
• Natural Resources – Senator Bruce Bostelman
• Revenue – Senator Lou Ann Linehan
• Transportation and Telecommunication – Senator Curt Friesen
• Urban Affairs – Senator Justin Wayne

*Bold indicates new char
2021 Nebraska Legislative Preview

Major themes include:

- Budget/Revenue
  - Line item for Space Command of $50M
- Taxes
- Corrections/Prison
- Broadband
- Redistricting Plans
- COVID Recovery and Policy

419 Bills and 23 Resolutions/Constitutional Amendments Introduced as of 5pm on 1/14
Natural Resources Committee

Chair – Senator Bruce Bostelman

• Committee members
  – Senator Ray Aguilar
  – Senator John Cavanaugh
  – Senator Tim Gragert
  – Senator Mike Groene
  – Senator Dan Hughes (former Chair)
  – Senator Mike Moser (Vice Chair)
  – Senator Justin Wayne
Legislative Update

Where we are going

- Policy Alignment and Leadership - State
  - Broadband – Several Bills
  - Changes to State LIHEAP
  - Weatherization Appropriations
  - Open Meetings Act
  - Critical/essential classification for utility works
  - Battery Storage
  - Renewable Portfolio Standard/Clean Energy Standard
  - Climate Change Action Plan/Study
  - Wind Siting
  - Modular Nuclear Reactor Incentives
Board Update Process

- Ad hoc Public Information Committee Meeting after bill introductions are completed
- Monthly update to Public Information Committee during state session
  - Focus on providing review of legislative issues
- Monthly updates at Board Committee Meeting
  - Review legislative bill and regulatory highlights
- Weekly bill tracker
- Time-sensitive updates sent to board on emerging issues/positions
Federal Legislative Update
116th Congress Summary

Key bills enacted
- 14,239 introduced
- 265 passed House & Senate
- 217 enacted*

![Energy & environment bills in the 116th Congress](image)

Key enacted bills
- S. 3422/H.R. 1957: Great American Outdoors Act
  - Enacted via S. 1790
- S. 1507: PFAS Release Disclosure and Protection Act of 2019
  - Enacted via S. 1790
- S. 47: John D. Dingell, Jr. Conservation, Management, and Recreation Act
- S. 3051: America’s Conservation Enhancement Act
* H.R. 748 – Coronavirus Aid, Relief, and Economic Security (CARES) Act

Current status
- 1,058 introduced
- 73 passed House
- 8 passed Senate
- 114 enacted*
- 0 vetoed

* Includes bills enacted as part of other legislation

117th United States Congress Overview

• Began on January 3, 2021
• Georgia Senate Elections
• House – Democratic Majority
• Senate – Split 50/50 Republican/Democratic
  – Vice President Breaks Ties
Energy and environment sector legislative outlook for the 117th Congress

**Must pass legislation**

**Surface transportation reauthorization:** Congress passed a one-year surface transportation extension in September 2020; five-year surface transportation reauthorization is still outstanding.

**Democratic priorities**
- Instituting a federal Clean Energy Standard
- Greening COVID-19 recovery efforts
- Extending clean energy tax credits
- Introducing environmental justice measures

**Republican priorities**
- Advancing market-based conservation through the Trillion Trees initiative
- Limiting the cost and regulatory burden of climate change mitigation efforts
- Investing in Carbon Capture and Storage and energy efficiency

**Likely Potential Actions (OPPD Perspective)**
- Extension of wind and solar Production and Investment Tax Credits (PTC & ITC)
- Energy R&D
- Enhanced Grid Security
- Increasing subsidies for advanced biofuels

**SOURCE**