

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 chair

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

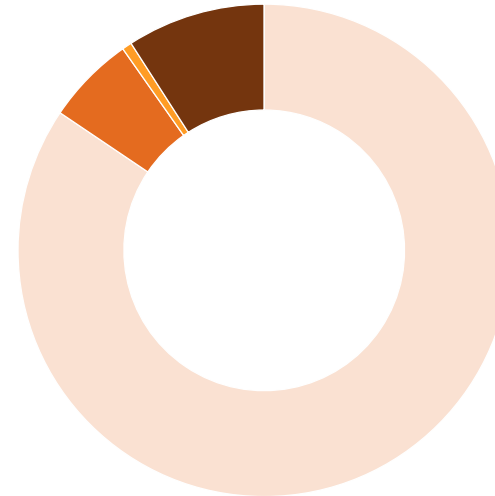
Key bills enacted

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

Energy & environment bills in the 116th Congress

Current status

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



* Includes bills enacted as part of other legislation

Key enacted bills

S. 3422/H.R. 1957: Great American Outdoors Act

H.R. 1976: PFAS Detection Act of 2019

- 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

***S. 1790 – FY2020 National Defense Authorization Act**

***H.R. 748 – Coronavirus Aid, Relief, and Economic Security (CARES) Act**

SOURCE GovTrack, The Hill, ABC10 News, WaterWorld, E&E News, Politico.
SLIDE LAST UPDATED ON 12/14/20

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

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

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