



# Legislative Update

Board of Directors Committee Meeting

February 18, 2025

# Agenda

- State legislative overview and update
  - Legislature session timeline
  - OPPD position on bills; monitor bills of high interest
- Federal update
  - Executive Orders
  - Reconciliation

# State - 109<sup>th</sup> Legislative Session 2025 Timeline

- 90 Day First Session convened on January 8 and will end on June 9
- Last day of bill introduction was January 23
  - 715 bills introduced
  - 32 LR and LRCA introduced
- Public hearings began on January 22 and will continue until March 28
- March 13: Deadline to submit Speaker priority designation
- March 14: Deadline for designation of committee and senator priority bills
- March 17: Speaker will announce priority bills
- March 31: Full day of floor debate

# State Legislation – Position of Support

- LB 117 – Holdcroft - Provide a sales and use tax exemption for electricity, natural gas, propane, and sewer utilities
  - Hearing 1/31
- LB 163 – Spivey - Create the Office of Climate Action
  - Hearing 1/30
- LB 271 – Storer - Provide a penalty for the offense of interference with railroad infrastructure, equipment, and personnel
  - Hearing 3/5
- LB 290 – McKinney - Change provisions relating to grant funding for a business park under the Economic Recovery Act
  - Hearing 1/28, Placed on General File
- LB 396 – DeKay - Change provisions relating to the form and filing of public power district budgets and audits with the Nebraska Power Review Board
  - Hearing 2/6, Placed on General File

# State Legislation – Position of Support

- LB 413 – Clouse – Change provisions relating to the setting of rates by certain power districts
  - Hearing 2/5
- LB 489 – Brandt - Prohibit certain entities from operating, maintaining, constructing, or acquiring transmission lines and related facilities
  - Hearing 2/5
- LB 546 – Rountree - Change provisions relating to proclamations for disasters, emergencies, and civil defense emergencies made by the Governor

# State Legislation – Position in Opposition

- LB 43 – DeKay – Change provisions relating to notice and certification requirements for electric generation facilities, transmission lines, and privately developed renewable energy generation facilities located near military installations
  - Hearing 1/22, Placed on General File with AM43, Advanced to Select File 1/30
  - All parties agreed to an amendment for Select File to address concerns
- LB 129 – McKeon - Prohibit restrictions on the provision of certain energy services
  - Hearing 1/29, Agreed to an amendment to address concerns
- LB 175 – Hallstrom - Provide duties for the successor in interest of a railroad
- LB 311 – DeBoer - Change provisions relating to nonregulated activities under the Nebraska Telecommunications Regulation Act
  - Hearing 2/11, talked to Senator DeBoer about concerns, she agreed to address them

# State Legislation – Position in Opposition

- LB 349 – Prokop - Change provisions relating to applications, notices, filings, exemptions, and violations regarding the construction or acquisition of certain electric energy storage resources by electric suppliers
- LB 503 – Bosn - Authorize the designation of American energy friendly counties and change provisions relating to privately developed renewable energy generation facilities and the nameplate capacity tax
  - Hearing 2/19
- LB 571 – J. Cavanaugh - Require cost-of-living adjustments for retirees for any public power district that operates a defined benefits program

# State Legislation – OPPD Monitor Bills of High Interest\*

- LB 169 – Brandt – Sales tax exemptions
- LB 193 – Andersen – Pacific conflict changes
- LB 526 – Jacobson – Crypto mining
- LB 611 – Urban Affairs Committee – Building codes
- LB 644 – Bostar – Foreign Adversary
- LB 660 – Andersen – Purchase of drones

\*Monitoring many other bills for amendments



# Federal Update – Presidential Executive Orders

- President Trump signed an Executive Order requiring funding reviews by all agencies and departments
- Office of Management and Budget issues a memo to pause federal spending with potential to impact trillions in grants and loans to take effect on January 28
- Federal district Judge Loren Alikhan rules to temporarily block the Trump Administrations Executive Order until after a February 3 hearing
- Numerous organizations filed a lawsuit Tuesday ahead of the temporary pause taking effect
- Office of Management and Budget rescinded the memo to pause federal spending on January 30
- OPPD continues to review potential impacts and monitor developments and has engaged with the federal delegation

# Federal Update - Reconciliation

- Tax exempt financing repeal under consideration
  - \$250-300 billion
- Border Adjustment Tax (BAT)
  - \$250 billion
- IRA/IIJA
- Tariffs
  - Mexico, Canada, and China