

Thursday, July 9, 2020

The Nebraska Legislature is set to reconvene on Monday, July 20 to complete the final 17 days of session after being abruptly paused due to the COVID-19 pandemic. Speaker Jim Scheer has made it clear that he is committed to ensuring prioritized bills that have advanced from committee will receive time on the floor when the Legislature reconvenes on July 20. This includes any of the approximately 15 priority bills still in committee, which will receive time on the floor should they advance during the resumption of session. **The last possible day for bills to advance bills from General File and ensure passage before the session ends is Day 14 (Friday, August 6) and the last possible day to advance bills from Select File and ensure passage is Day 15 (Tuesday, August 11).**

Due to the pandemic, the Nebraska Economic Forecasting Board will hold a special meeting on July 23, which will give senators more information about the amount of money available for priority bills as well as any needed additional amendments to the budget adjustment bills currently on Select File. Amendments to address the COVID-19 pandemic, police reform, or other topics will be permitted. If the content of the amendment was previously heard in a hearing, there will be no need for a new hearing. If it is new material, however, the committee will need to hold a public hearing to allow time for citizens to weigh in on the proposal.

Speaker Scheer stated during a recent Platte Institute Webinar that there is enough time during the return to session for such hearings. Senator Mike Hilgers, who is the chairman of the Executive Board and also participated in the Platte Institute Webinar, noted that Capitol staff rearranged at least one hearing room to maintain social distancing and allow for public participation.

The operations of the Unicameral will be modified in hopes of keeping senators and staff members safe. Some examples include:

- Only certain persons outside of senators, the Clerk and his staff, and Sgt. at Arms will be allowed access to the Chamber floor. Legislative staff such as Legislative Aides and Legal Counsels may be allowed onto the floor when a specific bill is being heard and their relative senator is the introducer of the bill. All staff members are expected to wear face masks.
- Senators proposing amendments will not be allowed to have their staff in the Chamber, and staff are not allowed on the Floor to deliver or retrieve items from his or her senator.
- Media will not be allowed on the Floor but will be allowed in the north balcony of the Chamber. Media representatives will be required to wear masks and practice social distancing in the balcony.
- The glass doors of the Chamber will not be in use during session. All senators and staff will be entering the Chamber through the back hallway.
- All persons entering the Chamber will have their temperature checked prior to admittance.
- The south balcony will be reserved for any members of the Legislature who want to socially distance, but still observe debate and Floor activity in person. There will be no microphone in the balcony, so any members that would like to participate in debate must return to the floor to speak.
- Lobbyists and members of the public are not allowed in the balconies. Senators are being encouraged to utilize their cellphone capabilities when possible if needing to talk to someone outside of the Chamber. ****Catalyst Public Affairs has always had the ability to correspond with legislators and their staff members, as well as***

executive branch officials, and are confident we will be able to continue to do so through means of phone calls, text messages, e-mails, and video conferencing.

- Call in votes will be allowed in lieu of a machine vote, as long as the senator is standing and visible to the Clerk.
- A laptop will be available in the Chamber that shows the current speaking que list. The Presiding Officer will also announce the two next senators in the speaking que each time they recognize the senator recognized to speak. (Ex. "Senator A, you are recognized, with Sens. B & C in the que")
- Plexiglass barriers have been installed at each senator's desk.

As for legislation expected to be worked on, three major bills remain the topic of conversation.

1. LB 720, Introduced by Sen. Mark Kolterman

Speaker Scheer said during the Platte Institute Webinar that as of now the bill does not have the 33 votes needed to pass. While Speaker Scheer did not specify why the votes for LB 720 are not there, many rural senators have decided (and did the same in 2019) to vote against LB 720 should no substantial property tax relief be obtained as a strategy to get more votes on the property tax relief measure. When asked about the possibility of extending Nebraska's current business incentive program, the Advantage Act, by one year through Sen. Curt Friesen's LB 1034, both Scheer and Hilgers agreed that it could be considered if amended onto another bill, but that they don't foresee that being a feasible option. Scheer described it as "straddling between two paths," and that it would be ideal to either forge a new path with LB 720 or try and address it during the 2021 session.

2. LB 1084, Introduced by Sen. Mark Kolterman

Also hanging in the balance is the proposed \$300 million for the University of Nebraska Medical Center's NEXT Project, which would provide training for healthcare professionals and responders across the United States on dealing with large-scale emergencies, such as pandemics. Scheer said the bill does not have the current votes needed.

3. LB 1106, Introduced by Sen. Jim Scheer

Like business incentives, property tax relief is also up in the air. A group of 10 senators have recently joined together to try and find a path forward with LB 1106 (an amended version of Revenue Committee's LB 974), however a solution has not yet been reached according to Hilgers and Scheer. Many school districts, as well as the senators representing those districts, continue to have concerns about the impact the plan will have on state aid to schools.

Bills pertinent to the Papio-Missouri NRD that Catalyst Public Affairs will continue to monitor:

▪ LB 283, Introduced by Sen. John McCollister

This bill, which would fund a study on climate change, is likely dead for the session as it has a fiscal note of \$125,000. **Senators have been asked to find a way to remove fiscal notes from their bills, or those bills will not be able to move forward this session due to the impact on state revenue from the pandemic.*

▪ LB 769, Introduced by Sen. Tim Gragert

Currently this bill, which would require members of the Natural Resource Commission be residents of the State of Nebraska, is on General File. It carries no fiscal note.

- **LB 890, Introduced by Sen. Mike Hilgers**

LB 890, which is on General File, would allow any political subdivision to use a design-build contract or construction management at risk contract under the Political Subdivisions Construction Alternatives Act for a project, in whole or in part, for water, wastewater, utility, or sewer construction. Sen. Hilgers has signaled that he is attempting to amend LB 890 into LB 790 (Slama), which deals with contract bidding also. LB 790 is a priority bill and may be debated once the Legislature reconvenes. This bill has no fiscal impact.

- **LB 1003, Introduced by Sen. Lynne Walz**

This bill is a Urban Affairs Committee Priority Bill, and seeks to allow any city of second class, or village, to annex any lands, tracts, streets, or highways when such annexation is for the purpose of relocating part or all of such city or village due to catastrophic funding. The bill is currently on Select File and has no fiscal note.

- **LB 1201, Introduced by Sen. Bostelman**

Currently on General File, LB 1201 creates the Flood Mitigation and Planning Task Force under the Nebraska Emergency Management Agency (NEMA). Due to the fiscal note, it is uncertain if this bill will be considered further this session.

**Due to COVID-19, there have been no scheduled hearings on interim studies.*

Over the past few weeks, we have been working closely with John Winkler and Jennifer Strass Story to develop an outreach plan in order to engage with candidates and key legislators that represent districts within the Papio-Missouri River Natural Resource District boundary. Jennifer has crafted an informative PowerPoint that we plan on sharing with candidates over Zoom, with the ultimate goal of forging new relationships with potential NRD advocates.

If you have any questions or feedback, please feel free to reach out to me anytime at 402-630-9573 or tgay@catalystnebraska.com

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