



SIERRA CLUB

NEBRASKA CHAPTER

To: Nebraska Chapter of the Sierra Club
From: James P. Cavanaugh
Date: March 1, 2109
RE: Nebraska 2019 Legislative Session, Week Ending March 1, 2019

Special Invitation Notice: Wednesday March 13th from 5pm until 7pm Cavanaugh & Associates invites you to a St. Patrick's Day party we are co-sponsoring, honoring Senators and Legislative Staff at the Nebraska Club at the Top of the US Bank 233 South 13th St. Lincoln, NE 68508.

WEEK IN REVIEW

Today, Friday, March 1st is the 34th day of the 90 day 2019 legislative session.

The Legislature continues to devote its efforts to conducting half day floor debate on bills out of committees (first on General File, then Select File, then Final Reading) and devoting half-days to committee hearings. Committee hearings are expected to continue until the end of March.

Not yet on the Clerk's official list of hearing dates, but understood as "scheduled" by the committee clerks are two bills of great interest to the Sierra Club. **LB678** (Vargas) on the **VW settlement** is scheduled for Wednesday, March 20th. **LB509** (McCollister) on **net metering** is scheduled for Thursday, March 14th.

This last week was busy as the pace of legislative activity is picking up. We provided testimony on four bills of interest to the Sierra Club. **LB51 PRO** Vargas "Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act" (a.k.a., Tesla bill); and **LB366 PRO** Bostelman "Change registration fee for alternative fuel-powered motor vehicles", both in the Transportation and Telecommunications Committee. **LB157 PRO** Brewer "Provide for voluntary registration, duties for the Department of Agriculture, and a cause of action under the Nebraska Apiary Act" in the Agriculture Committee. **LB492 PRO** Wayne "Adopt the Regional Metropolitan Transit Authority Act" in the Urban Affairs Committee. Clyde Anderson authored the testimony for **LB492**. All testimony is attached.

Action on the floor included the following. On Wednesday February 27th, a significant success was experienced when **LB155 ANTI** Brewer "Change eminent domain provisions that apply to privately developed renewable energy generation facilities" **did not** advance from General File. **LB155** failed to obtain the needed 25 votes, failing on a very odd vote of 23 yes, 8 no, 14 present not voting, 3 excused not voting, and 1 absent not voting. Senator McCollister led the opposition and many of our friends were in the "not voting" categories. Lastly, **LB302 ANTI** Hughes "Merge the State Energy Office with and rename the Department of Environmental Quality" (and have the state take over from the feds wet lands permitting) was placed on Final Reading.

Upcoming Hearing Dates
Sierra Club

LB45 Chambers	PRO	3/05/19	Agriculture Cmte Repeal the Black-Tailed Prairie Dog Management Act
LB401 Quick	PRO	3/05/19	Transportation and Telecommunications Cmte Adopt the Midwest Interstate Passenger Rail Compact
LB700 Bostelman	PRO	3/06/19	Natural Resources Cmte Provide for decommissioning and reclamation of a wind energy conversion system
BoSI LB509 McCollister	PRO	?? 3/14/19 ??	Natural Resources Cmte Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility
BoSI LB678 Vargas	PRO	?? 3/20/19 ??	Appropriations Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality

ATTACHMENTS:

Monday, March 4, 2019 Agenda

Testimony on LB 46PRO (mountain lions); LB 51PRO (Tesla); LB 366PRO (alt fuel fee); LB 157PRO (commercial beekeepers), LB 492PRO (regional metro transit authority).

The latest issue of the Unicameral Update can be found at:

<http://update.legislature.ne.gov/>

To review the full text of bills, as well as committee hearing schedules, please look on the Unicameral website at: <http://www.nebraskalegislature.gov>. Fiscal notes can also be found there.

Please call or e-mail me at any time if you have any questions. My contact information is:

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Bills of Special Interest to Nebraska Chapter of the Sierra Club

Bill #	Position	Sen.	
LB 51	PRO	Vargas	Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act
1/31/2019		Hunt	Hunt name added
1/30/2019			Notice of hearing for February 26, 2019
1/14/2019			Referred to Transportation and Telecommunications Committee
1/10/2019			Date of introduction
LB283	PRO		Pansing Brooks Provide for a climate change study
2/4/2019		Hunt	Hunt name added
1/30/2019			Notice of hearing for February 11, 2019
1/18/2019			Referred to Executive Board
1/15/2019			Date of introduction
LB509	PRO	McCollister	Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility
1/24/2019			Referred to Natural Resources Committee
1/22/2019			Date of introduction
LB678	PRO	Vargas	Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality
1/25/2019			Referred to Appropriations Committee
1/23/2019			Date of introduction
LB691	PRO	Cavanaugh	Provide for the Ornate Box Turtle Conservation license plates
1/25/2019			Notice of hearing for February 05, 2019
1/25/2019			Referred to Transportation and Telecommunications Committee
1/23/2019			Date of introduction
LB704	PRO	McCollister	Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles
1/25/2019			Referred to Government, Military and Veterans Affairs Committee
1/23/2019			Date of introduction

Bills of Interest to the Nebraska Chapter of the Sierra Club

Bill #	Position	Sen.	
LB 23	PRO	Kolterman	Change the Property Assessed Clean Energy Act
1/25/2019			Notice of hearing for February 05, 2019
1/14/2019			Referred to Urban Affairs Committee
1/10/2019			Date of introduction
LB 45	PRO	Chambers	Repeal the Black-Tailed Prairie Dog Management Act
2/21/2019			Notice of hearing for March 05, 2019
1/14/2019			Referred to Agriculture Committee
1/10/2019			Date of introduction
LB 46	PRO	Chambers	Eliminate provisions relating to the hunting of mountain lions
2/14/2019			Notice of hearing for February 21, 2019
1/14/2019			Referred to Natural Resources Committee
1/10/2019			Date of introduction
LB 51	PRO	Vargas	Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act
1/31/2019			Hunt name added
1/30/2019			Notice of hearing for February 26, 2019
1/14/2019			Referred to Transportation and Telecommunications Committee
1/10/2019			Date of introduction
LB124	PRO	Crawford	Change provisions relating to jointly created clean energy assessment districts under the Property Assessed Clean Energy Act
3/1/2019			Advanced to Enrollment and Review for Engrossment
3/1/2019			Crawford AM405 adopted
2/22/2019			Crawford AM405 filed
2/21/2019			Placed on Select File
2/13/2019			Advanced to Enrollment and Review Initial
2/13/2019			Urban Affairs AM199 adopted
2/8/2019			Urban Affairs AM199 filed

2/8/2019 Placed on General File with AM199
1/25/2019 Notice of hearing for February 05, 2019
1/14/2019 Referred to Urban Affairs Committee
1/10/2019 Date of introduction

LB157 PRO Brewer Provide for voluntary registration, duties for the Department of
Agriculture, and a cause of action under the Nebraska Apiary Act

2/13/2019 Notice of hearing for February 26, 2019
1/15/2019 Referred to Agriculture Committee
1/11/2019 Date of introduction

LB243 MON Gragert Crate the Healthy Soils Task Force

1/22/2019 Notice of hearing for January 29, 2019
1/16/2019 Referred to Agriculture Committee
1/14/2019 Date of introduction

LB283 PRO Pansing Brooks Provide for a climate change study

2/4/2019 Hunt name added
1/30/2019 Notice of hearing for February 11, 2019
1/18/2019 Referred to Executive Board
1/15/2019 Date of introduction

LB302 ANTI Hughes Merge the State Energy Office with and rename the Department of
Environmental Quality

2/27/2019 Placed on Final Reading
2/21/2019 Advanced to Enrollment and Review for Engrossment
2/13/2019 Placed on Select File
2/7/2019 Advanced to Enrollment and Review Initial
2/1/2019 Placed on General File
1/23/2019 Notice of hearing for January 30, 2019
1/17/2019 Referred to Natural Resources Committee
1/15/2019 Date of introduction

- LB366 PRO** Bostelman Change registration fee for alternative fuel-powered motor vehicles
1/30/2019 Notice of hearing for February 26, 2019
1/18/2019 Referred to Transportation and Telecommunications Committee
1/16/2019 Date of introduction
- LB368 ANTI** Hughes Eliminate overappropriated river basins, subbasins, and reaches
2/13/2019 Notice of hearing for February 20, 2019
1/18/2019 Referred to Natural Resources Committee
1/16/2019 Date of introduction
- LB373 ANTI** Brewer Provide setback and zoning requirements for wind energy generation projects
1/24/2019 Notice of hearing for January 31, 2019
1/18/2019 Referred to Government, Military and Veterans Affairs Committee
1/16/2019 Date of introduction
- LB401 PRO** Quick Adopt the Midwest Interstate Passenger Rail Compact
1/30/2019 Notice of hearing for March 05, 2019
1/22/2019 Referred to Transportation and Telecommunications Committee
1/17/2019 Date of introduction
- LB509 PRO** McCollister Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility
1/24/2019 Referred to Natural Resources Committee
1/22/2019 Date of introduction
- LB585 MON** Friesen Create the Renewable Fuel Infrastructure Program, eliminate a sales tax exemption, and provide for grants
1/24/2019 Referred to Revenue Committee
1/22/2019 Date of introduction
- LB606 MON** Groene Provide for water augmentation projects and retention of water rights as prescribed
1/25/2019 Referred to Natural Resources Committee
1/23/2019 Date of introduction

LB621 PRO Kolowski Change provisions relating to solar energy wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action

2/5/2019 Notice of hearing for February 21, 2019

1/25/2019 Referred to Judiciary Committee

1/23/2019 Date of introduction

LB665 MON Friesen Authorize the use of electric foot scooters

1/30/2019 Notice of hearing for February 12, 2019

1/25/2019 Referred to Transportation and Telecommunications Committee

1/23/2019 Date of introduction

LB678 PRO Vargas Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality

1/25/2019 Referred to Appropriations Committee

1/23/2019 Date of introduction

LB691 PRO Cavanaugh Provide for the Ornate Box Turtle Conservation license plates

1/25/2019 Notice of hearing for February 05, 2019

1/25/2019 Referred to Transportation and Telecommunications Committee

1/23/2019 Date of introduction

LB700 PRO Bostelman Provide for decommissioning and reclamation of a wind energy conversion system

2/27/2019 Notice of hearing for March 06, 2019

1/25/2019 Referred to Natural Resources Committee

1/23/2019 Date of introduction

LB704 PRO McCollister Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles

1/25/2019 Referred to Government, Military and Veterans Affairs Committee

1/23/2019 Date of introduction

LB729 PRO Walz Adopt the Soil Health Productivity Incentive Act

2/20/2019 Brandt name added

1/31/2019 Notice of hearing for February 19, 2019

1/25/2019 Referred to Agriculture Committee

1/23/2019 Date of introduction