To: Nebraska Chapter of the Sierra Club
From: James P. Cavanaugh
Date: February 8, 2019
RE: Nebraska 2019 Legislative Session, Week Ending February 8, 2019

Special Invitation Notice: Wednesday March 13th 5-7 PM 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 is the 22nd day of the 90 day 2019 legislative session.
This week the Legislature conducted half day floor debate on General File bills and half day committee hearings.

On Tuesday, February 5, 2019 the Unicameral held hearings on three bills of interest to the Sierra Club. The Urban Affairs Committee heard Senator Kolterman's LB 23 PRO (Change the Property Assessed Clean Energy Act) and Senator Crawford's LB 124 PRO (Change provisions relating to jointly created clean energy assessment districts under the Property Assessed Clean Energy Act). The Transportation and Telecommunications Committee heard Senator Cavanaugh's LB 691 PRO (Provide for Ornate Box Turtle Conservation license plates).

The Sierra Club testified in favor of LB 23; and during that hearing expressly supported LB 124. Sierra Club testified that LB 23 made multiple desirable changes and suggested a change to the provisions of the bill PACE. LB 23 added water efficiency to the existing energy efficiency criteria, expanded the list of certifiers of efficiency, and permitted property tax assessment adjustments after initiating a project rather than only prior to initiating a project. The Sierra Club suggested not adding economic development to resource efficiency as authorized basis for access to PACE funding. The Sierra Club supported LB 124's increasing the flexibility for local governments seeking to use PACE, authorizing multiple jurisdiction collaborations and authorizing subdivisions of local government to engage in PACE.

The Sierra Club sought the introduction of Senator Cavanaugh's LB 691. The committee heard six bills proposing new specialty license plates. There was no testimony in opposition LB 691. Joining the Sierra Club in proponent testimony was the Nebraska Game and Parks Commission, the National Wildlife Federation, and the Audubon Society. LB 691 differed from other wildlife license plate bills (i.e., existing mountain lion plate and NG&PC's requested LB 128 (Hughes) “Provide for Wildlife Conservation Plates”) all of which direct funds raised to the amorphous NG&PC's Education Cash Fund. LB 691 directs funds to the Wildlife Conservation Fund which has a habitat focus. The Sierra Club urged the committee to amend the mountain lion fees and the LB 128 fees into the Wildlife Conservation Fund. NG&PC resisted this but, that suggestion was supported by the National Wildlife Federation and the Audubon Society. Everyone supported LB 691 creating a dedicated cash flow for non-game species and habitat since currently the NG&PC does not have any such dedicated funds. The Sierra Club urged limiting license plates to species native to Nebraska, the NG&PC did not reject that idea but did contest that no trout was native.

The committee took no action on any of the license plate bills.
On Monday February 11th LB283 (PRO Pansing Brooks) “Provide for a climate change study” will be heard in the Executive Board. We will testify in favor of LB283.

On Tuesday February 12th LB665 (MON Friesen) “Authorize the use of electric foot scooters” will have a hearing in the Transportation and Telecommunications Committee.

Next Friday February 15th and the following Monday February 18th will be recess days.

On Thursday February 21 LB621 (PRO Kolowski) “Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action” will be heard in the Natural Resources Committee.

Tuesday February 26th LB51 (PRO Vargas) “Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act” and LB366 (ANTI Bostelman) “Change registration fee for alternative fuel-powered motor vehicles” will have a hearing in the Transportation and Telecommunications Committee.

On Tuesday March 5th LB401 (PRO Quick) “Adopt the Midwest Interstate Passenger Rail Compact” will be heard in the Transportation and Telecommunications Committee.

On Thursday March 14th LB509 (PRO McCollister) “Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility” will be heard in the Natural Resources Committee. We will testify in favor of LB509.

ATTACHMENTS:
Current Hearing Schedule
Monday February 11, 2019 Agenda

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 SIERRA CLUB

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<thead>
<tr>
<th>Bill</th>
<th>Status</th>
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<tr>
<td>LB51</td>
<td>PRO Vargas</td>
<td>Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act</td>
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<td>Notice of hearing for February 26, 2019</td>
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BILL  SC  SENATOR  TOPIC

LB23  PRO  Kolterman  Change the Property Assessed Clean Energy Act
Jan 25, 2019  Notice of hearing for February 05, 2019
Jan 14, 2019  Referred to Urban Affairs Committee
Jan 10, 2019  Date of introduction

LB45  PRO  Chambers  Repeal the Black-Tailed Prairie Dog Management Act
Jan 14, 2019  Referred to Agriculture Committee
Jan 10, 2019  Date of introduction

LB46  PRO  Chambers  Eliminate provisions relating to the hunting of mountain lions
Jan 14, 2019  Referred to Natural Resources Committee
Jan 10, 2019  Date of introduction

Bills of Interest to the Nebraska Chapter of the Sierra Club

LB283  PRO  Pansing Brooks  Provide for a climate change study
Feb 04, 2019  Hunt name added
Jan 30, 2019  Notice of hearing for February 11, 2019
Jan 18, 2019  Referred to Executive Board
Jan 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
Jan 24, 2019  Referred to Natural Resources Committee
Jan 22, 2019  Date of introduction

LB678  PRO  Vargas  Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality
Jan 25, 2019  Referred to Appropriations Committee
Jan 23, 2019  Date of introduction

LB691  PRO  Cavanaugh  Provide for Ornate Box Turtle Conservation license plates
Jan 25, 2019  Notice of hearing for February 05, 2019
Jan 25, 2019  Referred to Transportation and Telecommunications Committee
Jan 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
Jan 25, 2019  Referred to Government, Military and Veterans Affairs Committee
Jan 23, 2019  Date of introduction

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**LB51**  PRO  Vargas  Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act  **Bill of Special Interest**  
Jan 31, 2019  Hunt name added  
Jan 30, 2019  **Notice of hearing for February 26, 2019**  
Jan 14, 2019  Referred to Transportation and Telecommunications Committee  
Jan 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  
Feb 08, 2019  Urban Affairs AM199 filed  
Feb 08, 2019  Placed on General File with AM199  
Jan 25, 2019  Notice of hearing for February 05, 2019  
Jan 14, 2019  Referred to Urban Affairs Committee  
Jan 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  
Jan 15, 2019  Referred to Agriculture Committee  
Jan 11, 2019  Date of introduction

**LB243**  MON  Gragert  Create the Healthy Soils Task Force  
Jan 22, 2019  Notice of hearing for January 29, 2019  
Jan 16, 2019  Referred to Agriculture Committee  
Jan 14, 2019  Date of introduction

**LB283**  PRO  Pansing Brooks  Provide for a climate change study  **Bill of Special Interest**  
Feb 04, 2019  Hunt name added  
Jan 30, 2019  **Notice of hearing for February 11, 2019**  
Jan 18, 2019  Referred to Executive Board  
Jan 15, 2019  Date of introduction

**LB302**  ANTI  Hughes  Merge the State Energy Office with and rename the Department of Environmental Quality  
Feb 07, 2019  Advanced to Enrollment and Review Initial  
Feb 01, 2019  Placed on General File  
Jan 23, 2019  Notice of hearing for January 30, 2019  
Jan 17, 2019  Referred to Natural Resources Committee  
Jan 15, 2019  Date of introduction
LB366   ANTI   Bostelman  Change registration fee for alternative fuel-powered motor vehicles
Jan 30, 2019 Notice of hearing for February 26, 2019
Jan 18, 2019 Referred to Transportation and Telecommunications Committee
Jan 16, 2019 Date of introduction

LB368   ANTI   Hughes  Eliminate overappropriated river basins, subbasins, and reaches
Jan 18, 2019 Referred to Natural Resources Committee
Jan 16, 2019 Date of introduction

LB373   ANTI   Brewer  Provide setback and zoning requirements for wind energy generation projects
Jan 24, 2019 Notice of hearing for January 31, 2019
Jan 18, 2019 Referred to Government, Military and Veterans Affairs Committee
Jan 16, 2019 Date of introduction

LB401   PRO   Quick  Adopt the Midwest Interstate Passenger Rail Compact
Jan 30, 2019 Notice of hearing for March 05, 2019
Jan 22, 2019 Referred to Transportation and Telecommunications Committee
Jan 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 Bill of Special Interest
Jan 24, 2019 Referred to Natural Resources Committee
Jan 22, 2019 Date of introduction

LB585   MON   Friesen  Create the Renewable Fuel Infrastructure Program, eliminate a sales tax exemption, and provide for grants
Jan 24, 2019 Referred to Revenue Committee
Jan 22, 2019 Date of introduction

LB606   MON   Groene  Provide for water augmentation projects and retention of water rights as prescribed
Jan 25, 2019 Referred to Natural Resources Committee
Jan 23, 2019 Date of introduction

LB621   PRO   Kolowski  Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action
Feb 05, 2019 Notice of hearing for February 21, 2019
Jan 25, 2019 Referred to Natural Resources Committee
Jan 23, 2019 Date of introduction

**LB665**  MON  Friesen  Authorize the use of electric foot scooters
Jan 30, 2019 Notice of hearing for February 12, 2019
Jan 25, 2019 Referred to Transportation and Telecommunications Committee
Jan 23, 2019 Date of introduction

**LB678**  PRO  Vargas  Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality Bill of Special Interest
Jan 25, 2019 Referred to Appropriations Committee
Jan 23, 2019 Date of introduction

**LB691**  PRO  Cavanaugh  Provide for Ornate Box Turtle Conservation license plates Bill of Special Interest
Jan 25, 2019 Notice of hearing for February 05, 2019
Jan 25, 2019 Referred to Transportation and Telecommunications Committee
Jan 23, 2019 Date of introduction

**LB700**  PRO  Bostelman  Provide for decommissioning and reclamation of a wind energy conversion system
Jan 25, 2019 Referred to Natural Resources Committee
Jan 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 Bill of Special Interest
Jan 25, 2019 Referred to Government, Military and Veterans Affairs Committee
Jan 23, 2019 Date of introduction

**LB729**  PRO  Walz  Adopt the Soil Health and Productivity Incentive Act
Jan 31, 2019 Notice of hearing for February 19, 2019
Jan 25, 2019 Referred to Agriculture Committee
Jan 23, 2019 Date of introduction