

Legislative Year in Review

Let me first tell you how much I have enjoyed working for the Sierra Club this session. The members of the Sierra Club's Legislative Committee have great input, attend all the meetings, and are examples of what leadership is all about. Thank you for giving me this opportunity.

This was a stressful session for staff, senators, lobbyists and anyone needing to testify on bills. In response to Covid 19, the Legislature implemented all-day hearings during the first half of the session. In a normal year the body would move bills on the floor of the Legislature in the morning and adjourn to hearings in the afternoon. That gives the lobbyists and those working on bills time to have meetings with others who might be supporting the same bills and to prepare testimony and research what impact a bill might have on their client. So, in this session a lobbyist might have seven or eight bills being heard on any given day in multiple committees which requires time management.

In addition, new opportunities were made available to testify on a bill. Testimony could be handed in to the committee clerk on the morning of hearings between 8:00 and 9:00 AM and that testimony would become part of the record. You could also testify in the traditional manner, but two additional opportunities were provided to place testimony before the committee. The rules for these tools were posted on the legislative website but were confusing for many because the procedures varied by bill. For example, written testimony not submitted the morning of the hearing required the testimony be submitted by noon the day before the hearing. So when the Legislature had four day weekends, that testimony needed to be submitted by Thursday noon for a hearing the following Tuesday.

Speaker Hilgers did return to a more traditional approach to addressing cloture and the filibuster by extending the "talking filibuster" to eight hours at which time a cloture vote would be taken. Speaker Scheer had implemented shorter hours for these filibusters and cloture votes were never taken on them which made it difficult to determine how any one senator might vote on a bill. The change was welcomed by many.

As most of you know the body will return in the fall to go through the redistricting process which already promises to be a bloodbath. Rural Nebraska seems poised to lose two senators unless the Legislature is able to establish boundaries for districts which may not seem obvious or natural. Rural senators are considered to be reliable red votes, so it seems likely that efforts will be made to preserve those seats if at all possible and that fight has already begun.

The Sierra Club took positions on over 80 bills. Most of the time I either submitted written testimony early on the day of the hearing or testified via the on-line portal which was made available this year. The Club identified 10 "top priority" bills for the session. Two were bills we opposed and eight were bills we supported.

We took the following positions on these bills (Click [here](#) to view the bills. Enter the bill number in the "search current bills" box, then click the "text copy" to see the entire bill).

LB 76	Winner Take All (Electoral college)	Oppose	Stuck in Committee
LB 241	Covid Protections Meatpacking	Support	Killed
LB 266	Renewable Energy Standards Act	Support	Stuck in Committee
LB 324	Open opportunity to purchase meat shares	Support	Passed
LB 396	Farm foods to School Act	Support	Passed
LB 482	Prevents ratepayer dollars use in elections	Support	In Committee
LB 483	State Climate Change Study	Support	In Committee
LB 507	Prohibits use of treated seed in ethanol	Support	Passed
LB 634	Applies liability to seed companies	Support	In Committee
LB 656	Establishes CO2 Act	Oppose	Passed

Some of the other bills which we testified on in one way or another are listed below:

LB 11	Establishes permanent vote-by-mail status	Support	In Committee
LB 20	Makes 12 month contraceptives available	Support	In Committee
LB 26	Provides tax exemption for residential water	Support	Passed
LB 83	Establishes rules for virtual conferences	Support	Passed
LB 409	Enacts moratorium on Transmission Lines	Neutral	In Committee
LB 506	Increases Net Metering	Support	In Committee
LB 90	Reduces buffer strip funding	Oppose	Passed
LB 222	Changes assessment on G and P lands	Oppose	Killed
LB 305	Changes selection of G and P Director	Oppose	In Committee
LB 424	Requires county zoning for wind energy	Oppose	In Committee
LB 468	Mandates G and P fees to landowners	Oppose	In Committee
LB 562	Moves HQ of G and P to Sidney	Oppose	In Committee
LB 668	Moves HQ of G and P to small town	Oppose	In Committee
LB 406	Establishes study committee to assess tourism and development potential of Nebraska and studies flood control structures	Oppose	Passed

A number of resolutions and constitutional amendments were introduced also. Some of the highlights are listed below. We have taken no position on these because they came up later in session after the priorities were established. Most have had no hearing.

LR 2CA	Legalizes marijuana	No position	In Committee
LR 3CA	Requires Voter ID	Opposed	In Committee
LR 5	Report on Healthy Soils Task Force	Support	Passed
LR 10CA	Overhaul of felon's voting rights	No Position	In Committee
LR 11CA	Enacts a consumption tax	No Position	In Committee
LR 13CA	Limits property taxation for schools	No Position	In Committee
LR 14	Supports Constitutional Convention	No Position	On General File
LR 18CA	Increases term limits to 3 terms	No Position	In Committee
LR 21 CA	State pays all classroom costs	No Position	In Committee
LR 25	YRTC Oversight Committee	No Position	Passed

LR 29	St Francis Oversight Committee	No Position	Passed
LR 49	Studies natural gas shortage	No Position	In Committee
LR 102	Recognizes climate crisis	No Position	In Committee
LR 136	Investigates rolling power outages	No Position	In Committee
Lr 159	AltEn Investigative Committee (although we wrote the LR).	No Position	In Committee

A number of Interim Studies have also been introduced which may interest members of the Nebraska Chapter of the Sierra Club. Some of those include:

LR 23	Study the progress of NRDs in fulfilling their intended purposes.
LR 34	Study the structure and funding of the Nebraska Environmental Trust.
LR83	Study the gubernatorial appointment process for boards/commissions.
LR 117	Study surface water irrigation projects and infrastructure.
LR 152	Study statutes and assess NDEE's jurisdiction over pesticide treated seed.
LR 208	Study commercial property clean-energy financing.
LR 223	Study to assess combating spread of emerald ash borer.

The Legislature implemented a wide range of tax credits and tax cuts. Among those is the phaseout of tax on social security, exemptions for retired military from taxation on their pensions and a reduction in the corporate income tax. In addition many more millions were added to the property tax credit fund.. Senator Erdman introduced a bill which would eliminate all property, income, inheritance, and sales taxes in return for the imposition of a consumption tax. The bill did not move but there is discussion that it could be brought to the voters through the initiative process.

David Corbin and I have participated in weekly meetings for the past several months discussing what should be done to address the disaster at Mead, Nebraska where treated seeds produced massive piles of fetid waste product and millions of gallons of pesticide saturated wastewater. These calls continue to this day. The Club, in cooperation with Bold Nebraska and other entities sponsored a town hall at Mead Nebraska which was broadcast via Bold's connections and raised the interest in that issue. With the assistance of Ken Winston I drafted a special study committee resolution to appoint selected senators to examine the AltEn catastrophe and formalize a plan to address executive branch deficiencies and possible legislative changes which should be formulated. That legislative resolution was introduced by Senator Carol Blood and will be heard in January 2022. There is significant national and international interest in the events occurring at Mead, Nebraska and I believe the work of the Nebraska Chapter of the Sierra Club has been one of the driving forces behind building the interest in this crisis. (The Sierra Club maintains a web page devoted to the AltEn crisis: www.sierraclub.org/nebraska/alten-crisis).

Finally, the Legislative Committee has been focused on concerns that the Nebraska Environmental Trust is not fulfilling its mission and is too focused on serving the desires

of industry rather than the needs of the environmental entities. We opposed the reappointments of two individuals to the Trust Board who, in our opinion, violated the spirit of the trust by defunding targeted highly ranked grants and substituting lower ranked projects which were really designed to benefit businesses. Because of the controversy associated with the appointments, Speaker Hilgers waited until nearly the last day of session to hold their confirmation hearings. We sent letters to every senator addressing our concerns and urging the Legislature to reject these individuals. Although we were not successful in our efforts, the reappointment of Mr. Christen was razor thin since he received only 25 votes. And today's (6/18/21) Journal Star indicates that the grant request for ethanol pumps (the primary driving force behind our efforts) has been withdrawn which I believe is a victory for the environment.