

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Executive Board Committee
March 15, 2017

[LR46]

The Executive Board of the Legislative Council met at 12:00 p.m. on Wednesday, March 15, 2017, in Room 2102 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR46. Senators present: Dan Watermeier, Chairperson; John Kuehn, Vice Chairperson; Kate Bolz; Ernie Chambers; Sue Crawford; Dan Hughes; Tyson Larson; John McCollister; and Jim Scheer. Senators absent: John Stinner.

SENATOR WATERMEIER: Welcome to the Executive Board Committee meeting. My name is Dan Watermeier from Syracuse, represent District 1 from southeast Nebraska and I serve as Chair of the Executive Board. The committee will take up the one legislative resolution today in the posted order. And our hearing today is your public part of the legislative process and your opportunity to express your position on proposed legislation before us today. The committee members may come and go during the hearing. We are called away for various reasons and it's not our indication we're not interested in the bill or the legislative resolution. It is just part of the process. To better facilitate today's proceedings, I would ask you to abide by some procedures. Please turn off or silence your cell phone. The order of the testimony will be the introducer, the proponents, the opponents, and neutral, any closing by the introducer. If you are testifying, please make sure you fill out a green sheet, a green testifier sheet, in the other room to the south. When you come up to testify, please hand the green paper to the page. Please state and spell your name for the record at the start of your testimony. And if you will not be testifying but want to go on record as having a position on a bill, there is a white sign-in sheet that you can sign in as well that will take the place of that and you will be on the record. Written materials may be distributed to committee members while testimony is being offered. Please hand these to the page and I will need 12 copies. If you have written testimony but you need more, we can help you with that. To my immediate right is legal counsel, Janice Satra. To my left is the committee clerk, Laura Olson. And I'd just like to have the committee members introduce themselves today. Speaker Scheer is not here yet. He's at my far left and go ahead.

SENATOR MCCOLLISTER: My name is John McCollister. I represent District 20 in Omaha.

SENATOR BOLZ: Senator Kate Bolz, District 29, south-central Lincoln.

SENATOR WATERMEIER: We're missing Senator Hughes from southwest Nebraska. We're missing Senator Kuehn from south-central Nebraska. Senator Chambers.

SENATOR CHAMBERS: Dracula. I represent Transylvania. (Laughter) Senator Chambers from District 11. I wanted to upgrade my reputation.

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SENATOR CRAWFORD: Senator Crawford from LD45, eastern Sarpy County.

SENATOR WATERMEIER: Senator Larson is at the testifier's desk. We also have Senator Stinner as Appropriations Chair. He doesn't seem to make it to all the meetings. He seems to be buried in a budgetary issue. Joining us now is Senator Kuehn from Heartwell. So our page today is Alex Brechbill, is that correct? From Aurora, Nebraska. Welcome. We'll go ahead and start with the LR46. Senator Larson.

SENATOR LARSON: Good afternoon, Chairman Watermeier and members of the Executive Board. My name is Tyson Larson, T-y-s-o-n L-a-r-s-o-n, and I am here to present LR46. LR46 proposes that a special committee be appointed by the Executive Board of the Legislative Council to develop a climate action plan based on the initial findings and expanded examination of related issues pursuant to the LR455 Climate Action Committee. As many of you know, the LR455 special committee was created in 2016 to examine the issues related to the impacts of climate change on the state and its residents. The committee created a framework for a climate action plan for the state and recommended further review of various study topics. The LR455 committee found universal support of the need for an evidence-based, data-driven climate action plan. The intent and purpose of LR46 is to build on the original committee's proposed framework by establishing a climate action plan for our state. The LR46 special committee would consist of the Chairpersons of Appropriations and Natural Resources as well as five additional at-large members of the Legislature appointed by the Executive Board. The committee would be tasked with the examination of issues related to carbon emissions reduction, energy, and future technologies. I was provided with an opportunity to serve as Chairman for the LR455 Climate Action Committee last year. And I believe in the importance and continuation of the committee's recommendations. With that, I would strongly encourage your consideration of this legislative measure. Thank you for your time today, and I'd be happy to answer any questions. [LR46]

SENATOR WATERMEIER: All right. Thank you, Senator Larson. Go ahead, Senator Crawford. [LR46]

SENATOR CRAWFORD: Thank you, Chair Watermeier, and thank you, Senator Larson. Thank you for chairing the committee and your work on the committee. And I appreciate your concern that the work of the committee continues. I wanted to ask and make sure we have it on the record that the bill...the resolution is fairly short. And there's one really key phrase that I want to make sure that we have on the record in terms of your intent if we pass this resolution. And that's page 2, line...I guess I don't see a line...on page 2 it talks about point 4, "The special committee shall develop a climate action plan based upon its examination of such issues." And the next part is the part I'm wanting you to talk about in terms of what you mean by this language, "and the framework developed by the LR455 special committee." So what...when you say "the framework

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developed by the LR455 special committee," what does that entail? What does that include?
[LR46]

SENATOR LARSON: I think probably the framework that we continue to look at in terms of the statewide climate action plan is we need to focus on how the state--how do I want to say this--an expansion of the drought mitigation plan that the University of Nebraska had. But I think we need to go further in terms of looking at developing a climate action plan. We studied a number of other states and what their climate action plans were during the committee process and everyone is different. Ours would obviously be tailored a little more to those that are in the Midwest region focusing a lot more on agriculture, and I think in our state also looking at ways to continue to reduce carbon emissions while continuing to not inhibit Nebraska's rural economy. So I think that it will be a large focus. I've actually...I hope to work with the Governor and that might be something that we look at amending the LR if you want...if the Governor is amenable to having one of his representatives on this as well to make sure that anything that we recommend can be looked at and implemented by the executive branch as well, which I think is important. [LR46]

SENATOR CRAWFORD: Can I just follow up? [LR46]

SENATOR WATERMEIER: Follow up. [LR46]

SENATOR CRAWFORD: So from what I see on the report, it says that the committee's work was based on research carried out by the University of Nebraska-Lincoln and specifically this 2014 report, "Understanding and Assessing Climate Change: Implications for Nebraska" that that was kind of a base for your work in the committee. Would that also be the base for the work of this special committee? [LR46]

SENATOR LARSON: I think it can be part of the base. I think we will use that. But what that report is I think is different than an actual climate action plan. We need to look at what other states...continue to look at what other states have done in terms of how they've structured those plans. I think the LR46 committee will have the flexibility to not only look at that but look at other states and work with outside nonprofits which I know are interested in helping the state of Nebraska create a climate action plan. Like I said, I do believe that we need buy-in from the executive branch in terms of working to implement anything that we do. And I think, as I said, however you feel on climate change, and I think the LR455 committee did a good job of this last year, we didn't debate whether this is man-made or natural... [LR46]

SENATOR CRAWFORD: Right. [LR46]

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SENATOR LARSON: I mean, you can look at the empirical data and say that the earth has continued to warm. It doesn't matter why. It's how do we work to reduce carbon emissions and not inhibit the Nebraska economy while we're doing that. [LR46]

SENATOR CRAWFORD: Would you expect...the report talks about, on page 6, the importance of the role of postsecondary education in the climate planning and talks about the University of Nebraska as part of the report in that section of the report. So are you expecting the University of Nebraska to be involved in the work of this committee? [LR46]

SENATOR LARSON: We will definitely ask for their input on anything that pertains to climate action plan. And I think the university, you know, they can be whether, you know, Ronnie Green or any member of the university will have the ability to give input and be part of this I assume. And if they wanted to be part of--how do I want to say this--an integral part in terms of executing the plan once it's been developed, you know, I'm open to writing them into that because we have...I think the university does a good job of extension offices throughout the state of Nebraska helping agriculture and helping agriculture producers with new farming techniques or new...in agriculture in general. And the extension offices also do 4-H so the university can have a very integral part in coming out of the climate action plan in terms of implementing the plan. Specifically when it comes to those types of things, I think they can play an integral part should they choose to. [LR46]

SENATOR CRAWFORD: And implementing the plan, but would you expect to use their data and expertise for developing the plan (inaudible)? [LR46]

SENATOR LARSON: Well, I hope they would offer any data that they have to help develop the plan. Like I said, we'll be open to everything that the university has in terms of developing that and implementing. [LR46]

SENATOR CRAWFORD: Thank you. [LR46]

SENATOR WATERMEIER: Thank you, Senator Crawford. Senator McCollister. [LR46]

SENATOR MCCOLLISTER: Yeah, thank you, Mr. Chairman. And thank you for your testimony today. You and Senator Ken Haar were the cochairs of the task force last year and thank you for that. Another member of the committee was Senator Pansing Brooks. Was there any thought about coming to this body, coming back to the Legislature with a joint proposal this year? [LR46]

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SENATOR LARSON: She didn't approach me with the proposal that she had. She didn't ask me to cosign. She didn't ask me. And what her proposal was I think was billed...I can't even remember what it was called, but it wasn't the creation of specifically a climate action plan which the LR455 committee asked for. So...and, you know, Senator Brooks attended a meeting or two and the hearings. Senator Haar worked very diligently. I see Ken Winston in the room. He was at every meeting and every hearing as well as I was. And I think the LR46 committee not only has the ability to create a plan outside of statute and, as I said, work with the executive branch on the implementation, but also with the special committees as we found out in the LR455 process, they have the ability to recommend legislation and then follow through with that legislation versus a specific, you know, LB646 or whatever which was the statute that just dictated X and the committee didn't have that flexibility to work at things. And something that came out of the LR455 committee was now an Urban Affairs priority bill and PACE legislation. I think that's important as we look...if we're truly looking to reduce our carbon footprint while at the same time invigorate Nebraska's economy, it can't just be through a climate action plan. We have to...this committee would have to have the flexibility to look at other opportunities to fund certain things. And that's why I support LR46 and that's creation because I think it will give us more leeway. And if Senator Pansing Brooks wants to help, I hope she does. [LR46]

SENATOR McCOLLISTER: Well, thank you. You indicated in response to Senator Crawford's question about the university, have any other experts that you hope to enlist in this noble project? [LR46]

SENATOR LARSON: We had a number of people testify last year on the statewide climate action plan. Obviously the university, but there are a number of nonprofits out there, think tanks in the United States that have shown interest in working on this. I'm blanking on the organization's name . It's C2E or C2S. They've developed climate action plans for one or two other states and they have shown interest in doing that and having discussed that with them they know...no, essentially hopefully no cost to the state of Nebraska, the university, or anything of that nature. But they are willing to, if that is something that we can work with them...and that might not work out and that would leave the committee having to do a little, you know, by itself and that's fine. But I think we need to enlist people that have done climate action plans before for other states that know the process that can do that and help the state of Nebraska. And obviously, I think the university can offer input, can offer data, can offer their ideas; and I'm happy to work with the university on that as well. But I don't think we can boil it down to just one institution. [LR46]

SENATOR McCOLLISTER: Is there a fiscal note with this proposal? [LR46]

SENATOR LARSON: No. [LR46]

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SENATOR McCOLLISTER: No fiscal note. So hiring an outside contractor... [LR46]

SENATOR LARSON: I don't think we'll have to hire anybody... [LR46]

SENATOR McCOLLISTER: I understand. [LR46]

SENATOR LARSON: ...is my understanding. [LR46]

SENATOR McCOLLISTER: How exactly do you propose to work with the administration on this bill? [LR46]

SENATOR LARSON: Well, I'll have a nice sit-down with our Governor and the administration and try to work this out in terms of asking him how much he wants to be involved and what they...what they'd like to do and I'll express my...what I think is the importance of it. And hopefully the administration will work with us in the development and implementation of any of the recommendations that we have, and I'm confident that we can accomplish something of that nature. [LR46]

SENATOR McCOLLISTER: But no member from the administration will serve on the committee, correct? [LR46]

SENATOR LARSON: As written, no. I do hope to have a meeting with the administration to see if they are willing to have a nonvoting ex-officio member on the committee. If they aren't, then we'll move forward without that. But I do plan on keeping the administration in the loop, whether they have a member or not on LR46. [LR46]

SENATOR McCOLLISTER: Thank you, Senator. [LR46]

SENATOR WATERMEIER: Thank you, Senator McCollister. Senator Bolz. [LR46]

SENATOR BOLZ: The resolution says that "The special committee shall examine issues related to carbon emissions reduction, energy, and future technologies and the potential for funding from the Nebraska Environmental Trust. It seems to me that with those important issues to address the committee should be somewhat diverse. It should be made up of people with different political philosophies, from different geographical areas, different backgrounds, different things to contribute to the committee. Is it your intention that you would help the Executive Board put

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together a committee that brings multiple strengths to the table and represents different points of view? [LR46]

SENATOR LARSON: I think the LR455 committee was that. You know, in our development of any special committee as a member of Exec Board, we never...because we don't carry labels in the Legislature of Republican and Democrat, we never...we've never dictated in a resolution that there has to be so many Republicans and so many Democrats on a specific committee because, as our constitution has, we're all nonpartisan. So we can discuss who that is. Right now the Chairman of Appropriations and Natural Resources would be automatic members or their designees. I would assume Senator Stinner would want back on since he was a member of the committee last year. I obviously and I would assume Senator Kuehn might be interested since he was a member last year as well, maybe, maybe not judging by the wide eyes that I'm getting. And then obviously Senator Hughes would be as a Chairman of Natural Resources or his designee. So the Executive Board obviously gets to choose five at-large members and that will be up to the Executive Board. But I think I would hope that the members of the committee are focused on not only creating a climate action plan that works for the state of Nebraska but also, as I said, are looking at innovative ways to reduce our carbon footprint while at the same time create economic development in the state. And I think that's what LR455 did and I hope LR46 does as well. [LR46]

SENATOR BOLZ: Well, and to be clear, the question didn't reference any particular... [LR46]

SENATOR LARSON: You said political philosophies... [LR46]

SENATOR BOLZ: Political philosophies... [LR46]

SENATOR LARSON: So that took... [LR46]

SENATOR BOLZ: ...geographical areas, backgrounds. A diverse committee I think could help address those issues in your resolution. And so I hope that we'll be able to work together to gather a committee that is reflective of the body and brings more people's strengths to the table. Is that something you're willing to work on? [LR46]

SENATOR LARSON: I'm always willing to work with that. And as I said, we did that in LR455 and I'm happy to do that in LR46 as well. [LR46]

SENATOR BOLZ: Okay. [LR46]

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SENATOR WATERMEIER: All right. Thank you, Senator Bolz. Further questions from the committee? Senator Crawford. [LR46]

SENATOR CRAWFORD: Thank you. I just want to dig a couple more questions in terms of framework and just connecting the framework to the report that the committee put together in terms of what that means. So in the report the climate action plan, when you say "the framework," are you expecting the committee to sit down with this report and kind of identify...the report says the climate action plans have an inventory of greenhouse gas emissions as the first step, talks about risk analysis, talks about these different sectors that need to be considered. Is that... [LR46]

SENATOR LARSON: Are you in the summary of further research and activities? [LR46]

SENATOR CRAWFORD: So I'm saying the report itself... [LR46]

SENATOR LARSON: Or where in the report are you? [LR46]

SENATOR CRAWFORD: So page 5 is where it talks about climate action plans and so talks about sort of the baseline and measure and collecting data about, then talks about risk analysis. And then later in the report it mentions multiple sectors that would be examined. And is that what you...I'm just trying to kind of get my hand around what you mean by framework. [LR46]

SENATOR LARSON: Yeah, I think that's what the framework, yeah, I think that's...looking at all those things and then creating the framework by looking at the different sectors and how the sectors can react or could react. Obviously, as I said, I think we can look at...that's why I think it's important that the administration be involved as much as possible in the sense of implementing these things as well or at least working to implement them and I think as well as organizations such as the university in terms of implementation because a lot of...there's a lot of things that ag can do that will benefit ag as well. And I think we see that in the agricultural sector now. Producers are practicing more, different types of farming or agricultural sustainability because it adds to their bottom line. And I think the more that we can work with an organization such as the university with anything that we develop in a climate action plan to help that I think will be beneficial as well. [LR46]

SENATOR CRAWFORD: I was just wanting to clarify. So even though it's not listed in your report, you are intending to address these issues on page 5 and you're intending for the group to examine all of these sector impacts in your case which are not listed in the report. [LR46]

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SENATOR LARSON: Many of the...I can't say that we'll address every sector impact because, I mean, this was a summary of the research and activity so these were sectors that we looked at. And obviously that was extensive. And while developing the report, I think we'll focus on many of these sectors or look at them. I think these, as we've seen in other states, you don't just necessarily create one and leave it. There's always room for growth moving forward, and I think that's going to continue in a state like Nebraska, take collaborative effort, if that's something you want to go with. But I think the committee will have hard work in front of it in terms of saying we want to develop X. And I think I've proven to what...if Senator Bolz...those on...I get pegged as a certain political philosophy that I care passionately about this issue and have worked on statewide climate action plan and where I am on this issue of where I'd like to see this to take this. But it will ultimately be up to the committee exactly which sectors that we focus on more and develop further plans on because I don't think we'll...we might not have the time or the bandwidth to do every one of these in complete depth. Obviously I think we'll...there's things like transportation and water resources and energy in agriculture that a state like Nebraska has to focus on significantly more because of the industries that we focus on. But there's other ones that we can focus on as well. [LR46]

SENATOR CRAWFORD: One last question. [LR46]

SENATOR WATERMEIER: Sure, go ahead, follow up. [LR46]

SENATOR CRAWFORD: Well, this is a new question. I just wanted to understand what the language in the bill is about potential for funding from the Nebraska Environmental Trust. Do you mean funding for the climate plan or part of the climate plan is looking at funding? What does that language mean? [LR46]

SENATOR LARSON: That was part of the final recommendations from the committee last year that was voted on unanimously actually as we look to certain types of funding for not just the climate action plan but also ways--how do I want to say this--recommendations from the committee that possibly can work to lower carbon emissions while at the same time having an added economic benefit to the state. So that was actually recommended by a unanimous vote of LR455 to continue on in LR46. So that is why that is included because the last committee already recommended that. So we will have specific hearings on that and what that could possibly look like. That doesn't necessarily mean that we'll make that final recommendation, but that's something that's been recommended by the previous committee so I thought that it was necessary that we continue that in LR46. [LR46]

SENATOR CRAWFORD: Thank you. [LR46]

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SENATOR WATERMEIER: Thank you, Senator Crawford. Further questions for Senator Larson? Senator McCollister...I'm sorry, Senator Speaker Scheer, you had your hand up earlier. [LR46]

SENATOR MCCOLLISTER: I'm sorry. [LR46]

SENATOR SCHEER: Thanks, Senator Watermeier. Senator Larson, would you perhaps be inclined to stretch the committee perhaps to 2018? [LR46]

SENATOR LARSON: I think we do. We have a... [LR46]

SENATOR SCHEER: If the report is due by the end of 2017, it seems to me that when we start looking at...if we're going to do a good job of an in-depth look at the climate and some type of action plan, one of the things that I think we as a Legislature don't do as well is too many times we try to study something in too short a period of time. And we don't give it the considerable thought and time to come up with really a big answer rather than just looking at the more obvious problems. And if we're going to have something that we're going to base or is going to be a game plan for us to follow as a state, I'm just wondering if looking at the end of December as a report being done because those of you that have worked on these committees know that at least the last month to six weeks is really writing the report. It's no longer looking at the report trying to come up with the language that everybody can agree upon. So we get out of session the middle of June and having to have it done literally by the middle of November doesn't really give a lot of time for the group to meet and, from my perspective, fully investigate what it is they're trying to do. So that (inaudible). [LR46]

SENATOR LARSON: I don't disagree. And I don't like doing this on...in number 5 it says LR...that's actually a typo and that's my fault...the findings and recommendations of the, well, we call it LR455 special committee, but now would be LR46, have just recommendations to the Legislature by December 31, 2017, and a climate action plan before 2018. So we did extend the concept of reporting back to the Legislature in 2017 was kind of a checkup. You know, these are things that we found so far; this is kind of the framework where we're at and that would give us another year to actually develop and write the plan. So we tried to put in a check, like a check-in report that won't be...obviously, it won't be a full... [LR46]

SENATOR SCHEER: So in the report. [LR46]

SENATOR LARSON: Yeah. Essentially we have one at 2017 that's a check-in like this is what we've done, this is what our framework might be or this is where we're kind of at with our

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framework. And it gives us a full nother year to actually file the climate action plan, which...because I don't think you're wrong. But we considered doing it by December 2017 and that was just far too soon for us to get everything done. [LR46]

SENATOR SCHEER: Thank you. [LR46]

SENATOR WATERMEIER: All right, thank you, Speaker Scheer. Senator McCollister. [LR46]

SENATOR McCOLLISTER: Yeah. Thank you, Mr. Chairman. And so as I understand it, what you're intending to do would be an outgrowth or at least a progressive thing as a result of LR455. [LR46]

SENATOR LARSON: Exactly. [LR46]

SENATOR McCOLLISTER: An action plan so to speak. [LR46]

SENATOR LARSON: Yes. [LR46]

SENATOR McCOLLISTER: Okay. You will pick some members of the committee or at least the Executive Committee will. Will they write the report or where will we find the staff folks to help us with this? [LR46]

SENATOR LARSON: So obviously, the Chairman of the committee, whoever their staff is, you know, I have two personal staff and any member of the committee that wants to volunteer their staff we'll happily take the help. And then as we learned in LR455, I think there will be plenty of outside groups that are interested, that are in Nebraska, that are interested in our climate action plan, whether that be the university or other outside nonprofits that will come in and nonprofit...as I said, outside nonprofits that will come in and work with us to build a framework and work with us to build this report because LR455 has garnered a lot of attention from across the country in the fact that I think the state of Nebraska is taking a very unique approach to this. As I said, we got away from the debate of who did it and why they did it and focused much more on actions and solving our own issues here in the state. And I think...and by doing that, that allowed Senator Haar and myself to not squabble over the minutia and actually create ideas. And I think that's important. [LR46]

SENATOR McCOLLISTER: Thank you. [LR46]

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SENATOR WATERMEIER: Thank you, Senator McCollister. Senator Chambers. [LR46]

SENATOR CHAMBERS: Why is this approach preferable to that of Senator Pansing Brooks's bill, which was considerably more detailed, more specific, and would give notice to the public and everybody else of just what is being undertaken? [LR46]

SENATOR LARSON: As I said, Senator Chambers, I feel I've answered that question once already in the sense of LR46 is a continuation of LR455 as it was recommended. And it also gives the state more...Senator Pansing Brooks was specifically focused on weather and a few other things. This is a full state climate action plan. I can't remember what Pansing Brooks...it was the weather task force or weather preparedness whatnot. This will be a full climate action plan and the LR46 committee will also have the ability to recommend further legislation whereas Senator Pansing Brooks's was just a statute that was dictating one thing. So I think this gives this committee significantly more leeway to have a more comprehensive, fully fledged plan as well as look at other ways to grow the state of Nebraska. [LR46]

SENATOR CHAMBERS: But there's no way to pin down anything based on what this committee and the resolution may do or not do because it's very general in the language. What is the specific goal under the resolution? [LR46]

SENATOR LARSON: The resolution does say that we shall submit a climate action plan. [LR46]

SENATOR CHAMBERS: But it doesn't say what the plan shall consist of, does it? [LR46]

SENATOR LARSON: It doesn't specifically say what the plan shall consist of. Obviously, we'll need consensus among the committee to do any of that. If you've read the LR455 committee's plan, we discuss possible frameworks of that plan. And with the LR46 committee, there will be a report back to the Legislature by the end of the year. And I would hope that that will consist of the framework of what that plan will have. Obviously as we had in the LR455 committee, we'll have public hearings. Those public hearings will be published. We will take testimony on what people feel should and shouldn't be in the plan. LR455 was a very open process, and I would hope that we can continue that with the LR46 committee. [LR46]

SENATOR CHAMBERS: That's all that I would ask. [LR46]

SENATOR WATERMEIER: Thank you, Senator Chambers. Further questions from the committee? All right. Thank you, Senator Larson. Could I get a show of hands here today who

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will be testifying, either proponents or opponents? Ken. Okay, raise your hands again. Ken, were you going to... [LR46]

KENNETH WINSTON: Well, I'm testifying neutral so. [LR46]

SENATOR WATERMEIER: Well, no, pro or opponents or neutral. I'd just like to get a total idea here. We've got six of us. Five minutes is going to be a stretch, so we'll go ahead and go four minutes in order for us to combine the time that we've got. So we'll open up the testimony today for proponents on LR46. Proponents? All right, seeing none, anyone speaking in opposition to LR46? All right, those wishing to speak neutral to LR46. Welcome, Mr. Winston. [LR46]

KENNETH WINSTON: (Exhibits 1 and 2) Good afternoon, Chairman Watermeier, members of the Executive Committee. I always have trouble remembering what to call this committee. My name is Ken Winston, K-e-n W-i-n-s-t-o-n. I'm appearing today on behalf of Nebraska Interfaith Power and Light. I'm also submitting some written testimony on behalf of the Nebraska Sierra Club and Bold Alliance also asked to appear neutral on this bill. So first of all, I'm submitting written testimony so I'm not going to go through all of that. But the first thing I want to say is that we do appreciate Senator Larson's efforts in regard to a climate change and the idea of creating a climate action plan we think is very important so want to make sure that that is first and foremost in your consideration. We do think that's very important. We'd like to see a climate action plan be developed. We appreciate Senator Larson's work with the LR455 committee as well and want to recognize that. And there are several things about LR46 that we like so I want to also get that on the record. We appreciate the fact that it talks about the universal support for creating an evidence-based, data-driven state climate action plan. We strongly agree with that statement. We also appreciate the fact that Senator Larson's resolution, LR46, uses the term "climate change" rather than "extreme weather." We think that's important that we talk about that. And then we appreciate the fact that issues that are going to be examined include carbon emissions reduction, energy, and future technologies as well. However, the concerns that we have are about...are the following: We do think that there does need to be specific reference to the University of Nebraska. It's not just because of the fact that it's any old resource. It's the fact that these are the experts on climate change in Nebraska. And I use a football analogy here which I hope people will appreciate and imagine that we didn't recruit Eric Crouch when he was at Millard North. I mean, that would be a big mistake. We need to make sure that we take advantage of the best available resources that we've got, world-class resources right here in Nebraska. Then the second thing, I will have to disagree slightly with Senator Larson's characterization about the Environmental Trust. There was a recommendation for study on the LR455 committee. However, there were a number of recommendations that that committee made and they are not included in LR46. So if we're going to hang our hat on the idea that LR46 should have the recommendations of the LR455 committee, then let's list them all, not just have that one. Then we have a great deal of concern because of the fact that the Nebraska

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Environmental Trust has a great deal of support from the state of Nebraska. And we wouldn't want this particular approach study of climate change to become...to get derailed in this process by debates over whether the Environmental Trust should be involved. So we want to make sure that there's clarity about that. And then finally we want to make sure, following up on the question that Senator Chambers asked, we want to make sure that people understand what's being asked. What is the process? We appreciate the fact that Senator Larson says there's going to be hearings, but the resolution doesn't say that. So let's make sure that we know what's going to happen, how the process is going to work, what things are going to be asked, what's going to be the byproduct. So and then the final thing that I want to talk about is just the fact that there's a lot of support for creating a climate action plan. The LR455 committee was unanimous in its support, and that was a bipartisan, diverse committee from...with urban and rural senators. And I see the red light is on. [LR46]

SENATOR WATERMEIER: Try and finish up. [LR46]

KENNETH WINSTON: And so we know there's a lot of support there. And there was the 2015 rural poll said that 61 percent of rural Nebraskans wanted to see a climate action plan. There were a lot of people that came to testify in support of LB646. I'm guessing the fact there aren't as many people today is the fact that there was probably less people aware of this hearing. I personally didn't find out about it until Monday so...but I guess the final thing that I'd like to say is that we hope that the approaches of Senator Pansing Brooks and Senator Larson can be joined together and that both senators can work out something that everybody can support. Would be glad to answer questions if I can. [LR46]

SENATOR WATERMEIER: Thanks. Thank you, Mr. Winston. Questions? All right, thank you. I'm sorry, Senator Crawford, did you have your finger up? [LR46]

SENATOR CRAWFORD: Yeah, thank you. [LR46]

SENATOR WATERMEIER: Pencil up. [LR46]

SENATOR CRAWFORD: Thank you, just very quick. Would it be your understanding if the language was just issues...the climate action plan is based on the framework developed by LR455, that framework would include carbon emissions, energy, future technologies... [LR46]

KENNETH WINSTON: Yes. [LR46]

SENATOR CRAWFORD: ...already. Wouldn't that like...thanks. [LR46]

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KENNETH WINSTON: Yes. I would agree with that. [LR46]

SENATOR CRAWFORD: Thank you. [LR46]

KENNETH WINSTON: And as well as examination of the sectors that you mentioned. [LR46]

SENATOR CRAWFORD: Thank you. [LR46]

SENATOR WATERMEIER: All right. Thank you, Senator Crawford. Further questions? All right. Thank you, Mr. Winston. [LR46]

KENNETH WINSTON: Thank you, Senator Watermeier. [LR46]

SENATOR WATERMEIER: All right. Further testimony in the neutral capacity. Welcome. [LR46]

JANECE MOLLHOFF: (Exhibit 3) Good afternoon, Chairperson Watermeier and committee. My name is Janece Mollhoff, J-a-n-e-c-e M-o-l-l-h-o-f-f, and I'm testifying today on behalf of the League of Women Voters of Nebraska. Thank you, Senator Larson, for introducing this bill. And as you said, it was determined by the LR455 special committee that there is universal support for the need for an evidence-based, data-driven state climate action plan. That's been stated several times. And it was also evidenced in this committee's hearing at LB646 that all testimony was in favor of and there were no opponents to that initiative. A report that was released in January of 2017 by the U. S. Energy Industry Administration stated that the state with both the greatest percentage and the absolute increase in emissions was Nebraska at 25 percent, 10 million metric tons. If this were football, I think you would all be fired as coaches. LR...but seriously, this has implications for both the health of our population, the quality of our air, and our water. LR46 as introduced by Senator Larson is a positive step in curbing emissions. But I was in the military for 32 years and this appears to take a tactical approach with limited scope for a major problem that requires strategic, comprehensive planning. And with all due respect to our senators, while some of you have excellent credentials, the seven senators who would sit on the special committee formed by this bill do not have the time nor the scientific background and range of expertise in related areas of human and animal health impacts, energy technology, forest management, agricultural and food production, and water conservation that's required to develop such a plan. The state must invest in research and data gathering, planning, education, and coordination of efforts related to mitigation of and adaptation to the impacts of climate change. This task would be most effectively assigned to our world-class universities and research facilities along with stakeholder groups such as public power districts, the agricultural

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industry, business and technology leaders, public health agencies, and resource managers. And several times in Senator Larson's testimony he talked about nonprofit agencies outside the state and that is a concern. Additionally, the reference to potential for funding from Environmental Trust is a concern. The trust already has a system for grants for emission reduction, and any changes to that process would best be debated by the full senate, not by a special committee. The current process is not broken and indeed my hometown of Ashland recently installed electric vehicle charging stations near our community resource center using those funds. Your constituents, the citizens of Nebraska, expect you to do what is right for our future. You have this opportunity to act by combining LR46 with the more robust provisions of LB646 to develop a comprehensive state climate action plan that addresses not only energy but also transportation, industry, and agricultural sources of carbon emissions that contribute to climate change and threaten the health and well-being of our Nebraskans. I'd be happy to take any questions. [LR46]

SENATOR WATERMEIER: All right. Thank you for your testimony. Questions? Thank you again. Further testimony in the neutral capacity. Welcome. [LR46]

ANICA BROWN: (Exhibit 4) Good afternoon. My name is Anica Brown, spelled A-n-i-c-a, Brown, B-r-o-w-n. I'm speaking in neutral position for LR46, although I have to say this is new to me so I just found out the difference between LR and LB. So in my document it says LB instead of LR. I was here and spoke on February 6 as a proponent for LB646 to develop a climate action plan for Nebraska. I'm a Lincoln Public School teacher, but I'm not here on behalf of that, of my district. As I read through both bills, I did see differences, some, and those things have already been brought to this group. But I do see that both of them are setting forth creating a climate action plan. I do notice that the LB646 that Senator Pansing Brooks specifies a more detailed list of extreme weather events but also suggests such things that would help agriculture and technologies and so forth. One of the things that she does address is public engagement, and I think that is very valuable to this process. Also in her bill it says that input from the university would be vital to it and so I do agree because I believe our university knows our state well. One of the things that I heard Senator Larson mention was that he felt that UNL would be an integral part in the executive plan once it was developed. And I believe he also mentioned that he would like to invite them in. So I would suggest that that would be a high priority is to keep them involved all the way through this process. And I would like to know how public engagement would happen as well. And so in one of my paragraphs I'm going to share with you some information that I've had. In 2008 I was a codeveloper of a climate change student summit that took place at our state museum on the UNL campus. With the help of our sponsors, ANDRILL, supported by the National Oceanic and Atmospheric Administration, the Cooper Foundation here in Lincoln, Lincoln Public Schools, our state museum, and the Museum of Science and Industry in Chicago, Illinois, we gathered middle and high school students from three states: Nebraska, Illinois, Alaska, and one country, Greenland, via live videoconferencing where students asked scientists questions about climate change and engaged in conversation about

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concern for its impact on their future. Alaska asked the lower 48 states to get busy with implementing climate action plans at that time. That was nearly nine years ago. We had two more climate change student summits with the last one being April 2012, five years ago. Then in January 2016 here in the State Capitol climate change student summit was held with a large group of high school students where they spent the day learning about the dynamics of the legislative process and climate change issues, all for the sake of our planet. Our students have invested their time and energy in researching sustainable resources, collaborating on experiments for renewable energy, advocating for their future in a climate changing environment. I just wonder why it is taking our Legislature so long to see what our children already know and have acted on. And I ask you to act on moving forward with a committee to actively develop a climate action plan for Nebraska because we are overdue. I would just also say that I think it's very important to have young people involved in this process because it is their future. And so if there's any way at all that we could invite high school students to see how the Legislature works and how they could have an impact because it is their future and I've seen it over and over again. They want to be involved in climate change plans. Thank you. [LR46]

SENATOR WATERMEIER: All right. Thank you, Ms. Brown. Any questions? Thank you for coming today. [LR46]

ANICA BROWN: Thank you. [LR46]

SENATOR WATERMEIER: Further testimony in the neutral? Come on up. [LR46]

KATIE TORPY: (Exhibit 5) Good afternoon, Senator Watermeier and respected members of the Executive Board. My name is Katie Torpy. My first name is spelled K-a-t-i-e, Torpy is spelled T-o-r-p-y. I'm a representative of The Nature Conservancy today. On behalf of the 4,500 member households of The Nature Conservancy in Nebraska, I am here today in a neutral capacity toward LR46. The Nature Conservancy is the leading conservation organization working around the world to protect ecologically important lands and waters for nature and people. We have worked in Nebraska for 46 years. Climate change is the overarching environmental issue of our time with serious repercussions for human health, our economy, and the sustenance of the natural world on which we all rely. Thoughtful collective action must be taken now for the benefit of future generations. In short, we are convinced of the need for a climate action plan. In fact, earlier this session The Nature Conservancy testified in support of LB646. However, the vagueness of LR46 gives us pause. It is unclear how the action plan would be developed and with the input of what expertise. The University of Nebraska has already convened expert groups in various sectors: health, agriculture, wildlife, energy, and others to discuss strategies and next steps. We believe that the university should be integral player in the creation of a statewide action plan, if not the leader of this effort. LR46 is a good start. I just want to echo concerns

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already expressed by the members of the committee and the testifiers today. We have concern about the lack of detail, about the process of how the plan will be created, and the lack of public input. Also the way it's currently drafted it sounds like a renewable energy plan. We feel that it needs to be explicit...the scope needs to be explicitly expanded to include things like soil health, to tease out the opportunities for the agricultural sector, and to again further identify those other areas including the need for greenhouse gas emissions inventory. So thank you for considering our testimony. [LR46]

SENATOR WATERMEIER: Thank you for your testimony. Are there questions for Ms. Torpy? Is that pronounced correctly? [LR46]

KATIE TORPY: Yes, thank you. [LR46]

SENATOR WATERMEIER: All right. Thank you for your testimony. Further testimony in the neutral capacity. Come on up. Welcome. [LR46]

STEVEN HASTINGS: (Exhibit 6) Good afternoon, Senator Watermeier and the members of the Executive Board Committee. I'm testifying as an individual who graduated in zoology at UNL in 1974; received a master's degree from Virginia Institute of Marine Science, a Ph.D. in ecology with an emphasis on carbon and water use in a desert ecosystem, and with 30 years of research experience collaborating with UNL researchers and LI-COR, Inc., an internationally revered manufacturer of environmental instruments since 1971 on research related to climate change while I was employed at San Diego State University from 1980-2010. The main purpose of my testimony is to urge this Legislature to (1) use the expertise in the state of Nebraska, specifically UNL which is a leader in education and research in agricultural science and natural resources, water resources, climatology, and meteorology, funded in part by this Legislature, as well as grants from DOE, NSF, NOAA, and NASA to name a few; (2) the expertise at LI-COR, Inc., a company making environmental instruments based here in Lincoln; and (3) to consider working with Senator Pansing Brooks and others on LB646 so as to focus everyone's time and energy. [LR46]

SENATOR WATERMEIER: All right. Mr. Hastings, could you spell your name in the record for me, please. [LR46]

STEVEN HASTINGS: Sorry. Steven, S-t-e-v-e-n, last name Hastings, H-a-s-t-i-n-g-s. [LR46]

SENATOR WATERMEIER: Thank you. All right. Are there questions for Mr. Hastings? Thank you so much for testifying today. Come on up. [LR46]

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MARK BROHMAN: Chairman Watermeier, members of the committee, my name is Mark Brohman. I'm the executive director of the Nebraska Environmental Trust. That's spelled M-a-r-k B-r-o-h-m-a-n. And I wasn't going to testify today, but I wanted to come and hear what was going on. I thought I might see if you folks had any questions for me. But the one thing that we did have reason to pause was brought up by Ken Winston and Senator Crawford sort of touched on, that was the only funding potential mentioned in this LR is the Environmental Trust. We believe there are other parties that could participate, including DEQ, state agencies: Department of Energy, Department of Ag. On the federal level you've got EPA, you've got Department of Energy, you've got private foundations; but yet we were the only ones singled out. So we just wanted to point out that there's a lot of opportunities for funding. I think we will be part of any future climate change research in Nebraska or projects. We've been working on several. As was mentioned by a previous testifier, we put in some electric charge vehicle chargers in Ashland. Here recently we've done that in Seward, we've done it in Wayne, Nebraska City, Lincoln. We just dedicated the ones in Lincoln here not too long ago. We've been working with compressed natural gas. We've been doing a lot of things in the climate change area, air quality. So we just thought that either the LR should be changed and have these other funding systems put in place or have our name directly taken out as we don't want to become the target and have people put blinders on and say, well, this is all going to be funded by the trust. You know, we'll be a partner, but we think others should be at the table and should be up-front. And so with that, I'd be happy to answer any questions. [LR46]

SENATOR WATERMEIER: All right, thank you. Questions for Mr. Brohman? Thank you for your testimony. [LR46]

MARK BROHMAN: Thank you. [LR46]

SENATOR WATERMEIER: Further testifiers in the neutral position? All right. Seeing none, do I have letters to read into the record? Senator Larson, would you like to close? Senator Larson waives closing. That will close our hearing on LR46. [LR46]