

Nebraska State and Legislative Actions:

Policy

OpenSky Policy Institute provided seven suggestions for policy that would aid Nebraska amid the COVID-19 outbreak in a blog posted this morning.¹ These suggestions include:

1. Expand Medicaid without delay and without community engagement requirements to help ensure Nebraskans get the life-saving health care they need.
2. Increase funding for public health to ensure adequate testing, preparation and prevention.
3. Expand access to the Supplemental Nutrition Assistance Program (SNAP) to ensure Nebraskans don't have to worry about food insecurity during this global health crisis.
4. Remove barriers to social support programs like Medicaid, SNAP and Temporary Assistance for Needy Families (TANF) to not only help families affected by illness and job losses but also bolster local businesses.
5. Ensure every worker has access to paid medical and family leave to let them care for themselves and family members affected by the virus and contain the spread for those exhibiting symptoms.
6. Expand unemployment protections to lessen the effects of job losses for individuals and communities.
7. Provide loans to Nebraska's small businesses to help them weather the loss in business they may experience during the pandemic response.

OpenSky also suggested that lawmakers reexamine the projected revenue totals that were being used to formulate possible legislation this session. While projections were enthusiastic in February, the numerous cancellations of major events such as the College World Series, Berkshire Hathaway Shareholders Meeting, and numerous concerts could reduce sales tax revenue in the coming months.

Education

The Nebraska State Education Association and News Channel Nebraska announced this morning that they will be airing four hours of educational programming a day starting Monday. Two hours in the morning will be aimed towards shut-in elementary students, and then two hours in the afternoon will be aimed toward middle and high school students. Former Speaker of the Nebraska Legislature and current candidate for District 19 Mike Flood owns News Channel Nebraska, which also provided live streaming of all boys' high school basketball state tournament games last weekend.

Agriculture

Yesterday the Nebraska Farm Bureau advised its members to take precautionary measures in relation to COVID-19. "I know some may view the COVID-19 outbreak as only a concern to our state's high-density population centers, but make no mistake, the potential for the spread of COVID-19 to rural areas is real. It's especially serious considering the unique challenge's rural hospitals and health care providers may face in treating and containing the virus. It's imperative we all do our part to try and slow the spread of this highly

¹ <https://www.openskypolicy.org/seven-policy-steps-we-can-take-now-to-help-nebraska-respond-to-covid-1>

contagious disease. It's also critical we make sure our farm and ranch operators are ready to deal with possible ramifications in the event of expanded spread," said Steve Nelson, Nebraska Farm Bureau president.²

Nebraska Farm Bureau also offered some precautionary guidelines for members such as:

- **Practice good hygiene**
Washing hands frequently, disinfecting shared surfaces, and making sure soap and other sanitization supplies are available to employees is essential, says NFB. Also recommended is maintaining a healthy diet and doing businesses over the phone or online when possible.
- **Plan for possible labor shortages**
Agriculture business owners are encouraged to consider allowing employees working remotely if possible. The NFB also suggested keeping extra feed, fuel, and other inputs on hand during this time.
- **Communicate with those whom you do business**
Stay in close contact with your business partners - including both input suppliers and those to whom you sell commodities and products. Doing so will give you the best information to make decisions.
- **Alert Nebraska Farm Bureau**
If you experience or hear of disruptions in supply chains alert Nebraska Farm Bureau immediately via email at information@nefb.org. Nebraska Farm Bureau will continue to exchange information with state and federal officials focused on addressing disruptions and maintaining a safe food supply.

Federal Legislative Actions

Yesterday, the United States Senate passed Phase 2 of the federal response to COVID-19, also known as the Families First Coronavirus Response Act. The Nebraska Chamber of Commerce and Industry compiled a list of provisions of the package:³

Unemployment Compensation

- Gives states flexibility with respect to waiting periods with respect to waiting periods and in interpreting the "able available and actively looking" test for Unemployment Insurance. (Nebraska has already waived the work search requirements and waiting week period to receive unemployment benefits.)
- Provides an additional \$1 billion for state unemployment programs.
- Authorizes extended unemployment benefits, beyond the usual 26 weeks, fully funded by the federal government, for states that experience a spike in unemployment.

Sick Leave

Requires private sector employers with fewer than 500 employees and government employers to provide employees with two-weeks of paid sick leave. This entails 80 hours for full-time employees and typical number of hours over two-weeks for part-time employees. The paid sick leave is available to any employee without regard to duration of employment if they are unable to work or telework because they are:

² <https://www.nefb.org/newsroom/news-releases/2474-nebraska-farm-bureau-president-says-risk-of-covid-19-spread-to-rural-nebraska-real-offers-checklist-to-help-farmers-ranchers-prepare?fbclid=IwAR27nb53kNJbqEb9mHkC7oO6dcB35cqwgVMOEZ4SwgRXTWwilaVuldMebDQ>

³ https://files.constantcontact.com/31198439401/2d8fa1c2-aa58-4eb5-995b-75f1a174b9a3.pdf?fbclid=IwAR1v_WbFLD_vnL117-zZO7tCqcY7w-BctpfDjYloyWS49mg4FGIILUBeKCNc

- Subject to a government quarantine or isolation order related to COVID- 19,
- Have been advised by health provider to self-quarantine due to COVID- 19,
- Experiencing symptoms of COVID-19 and seeking medical diagnosis,
- Caring for an individual subject to quarantine order or self-quarantine,
- Caring for children if schools are closed or their caregiver is unavailable because of a public health emergency or experiencing substantially similar conditions as specified by the Secretary of Health and Human Services.

Exemptions include:

- Secretary of Labor is authorized to issue regulations to exempt health care providers and emergency responders from the definition of employer.
- Secretary may exempt small businesses with fewer than 50 employees from the requirement to offer leave to care for a child when a school is closed when the imposition of paid sick leave would jeopardize the viability of the business as an ongoing concern.
- Relationship to Existing Programs: This paid sick leave is in addition to whatever sick leave is already offered by the employer (including subject to state or local requirements).

Effective Dates: Takes effect 15 days after enactment and sunsets on December 31, 2020

Funding: Refundable tax credit equal to 100% of the qualified sick leave wages paid by the employer. Qualified sick leave wages are capped at \$511 per day (\$200 per day if the leave is for caring for a family member) and 10 days.

Self-Employed: There is a similar tax credit against self-employment taxes for individuals who are self-employed but would otherwise qualify for paid sick leave if they were an employee of an employer.

Coronavirus Testing

Requires coronavirus testing be available at no cost, and also provides \$1 billion to reimburse costs of coronavirus testing for individuals without health insurance.

School Nutrition Programs, WIC, SNAP, Senior Food Programs:

- \$500 million for the WIC program
- \$400 million for Dept of Agriculture Commodity Assistance program for local food banks
- \$100 million for nutrition assistance to U.S. territories
- \$250 million for senior nutrition programs including home-delivered meals and congregate nutrition
- Authority to provide school nutrition benefits, including through the EBT system, for families with children in schools closed for five or more days
- Authority for state waivers for certain program requirements under school nutrition, WIC, and SNAP to respond to COVID-19
- Suspension of SNAP work and work training requirements

Medical Devices Liability:

Provides limited liability protection for manufacturers of personal respiratory protective devices.