

Nebraska State and Legislative Actions:

Governor Press Conference

Governor Pete Ricketts held a press conference on Friday afternoon, where he announced Lincoln has its first case of COVID-19. Ricketts also announced that he would be conducting press conferences every day next week at 2 pm. Also discussed at Friday's conference:

Funds

Ricketts is requesting a \$58.6 million transfer from the state rainy day fund into the governor's emergency fund. Included in the \$58.6 million is: \$38 million for personal protective (PPE) gear and tests; \$13 million for staffing and overtime costs at veterans' homes and other 24/7 facilities operated by DHHS; \$4 million for additional DHHS staff to expand the epidemiology team; and \$3.5 million for UNMC to continue the important work it is doing in relation to COVID-19. Ricketts said any money not used could be transferred back into the rainy day fund. Ricketts said that he would leave the decision of when to convene the Legislature up to Speaker Scheer, though he said he'd like to see it happen at some point next week. Gov. Ricketts will hold a conference call with state senators to review his emergency appropriations proposal with them later today.

Testing

Chief Medical Officer Dr. Gary Anthone announced that the state had conducted close to 800 tests, with only 33 coming back as positive. Anthone said that comes out to less than 5%. He said that the state does have a limited number of tests currently, and that tests have been reserved for high risk patients thus far. High risk patients include those who have traveled to areas with wide-spread cases, were already seriously ill, or have been in contact with others who have tested positive for COVID-19. Anthone said he hopes local hospitals will be able to develop their own testing ability to help test more people including healthcare workers and first responders.

Utilities

Tim Burke, CEO of Omaha Public Power District, announced that public power in Nebraska was alive and well. He reported that OPPD is keeping critical workers at power plants, so electricity services are not disrupted. Burke also announced that OPPD is prepared to issue a shelter in place for some employees if necessary, so that power continues to flow. In addition, Burke said OPPD has extended its disconnection period and is staying in close contact with other Nebraska power districts to continue best practices.

Disaster Declaration

Gov. Ricketts reported that Nebraska has been approved for an economic disaster declaration. Now Nebraskans will be able to access low-interest U.S. Small Business Association bridge loans in order to keep businesses and nonprofits open.

Legislature

Speaker Jim Scheer, Executive Committee Chair Mike Hilgers, and Executive Committee Vice Chair Tony Vargas provided an update to the status of the Legislature yesterday afternoon to staff and senators:

"Due to the spread of COVID-19, on March 16 the Nebraska Legislature postponed its session until it is safe and necessary to call members back. During this pause in the legislative session, senators and their offices continue their work. The health, safety, and well-being of all of our neighbors are the top priority. The Legislature is working

extensively and collaboratively with the executive branch and government agencies to implement and communicate emergency policy changes. Members and their offices are: Collaborating with government agencies to support and help communicate regulation changes to the public; Communicating with our public health departments and healthcare providers about their needs and experiences on the ground; Engaging neighborhood associations, nonprofit and community organizations, and local municipalities to spread information about emergency policy changes and best practices to stay healthy; Responding to and communicating with constituents by phone, voicemail, legislative email, and social media; and Engaging the private sector, including small businesses, to connect them to available federal and state programs to help with financial support. In the spirit of the nonpartisan Nebraska Legislature, senators and administrative leaders across the state and political spectrum are coming together to find the best way forward for Nebraska.”

Scheer also told the Lincoln Journal Star that he would consider “going off campus” and convening in another Nebraska city or town should that be the safest way to complete the 2020 session. It is still uncertain when the Legislature will be reconvening to appropriate state funding to help battle COVID-19 in Nebraska. ¹

Executive Orders

On Thursday, Gov. Pete Ricketts issued an executive order to provide relief to restaurants and bars amid the COVID-19 outbreak.² Included in his order:

- Liquor Licensing: Establishments such as pizza parlors (Class A license holders) will be able to sell beer to customers on take-out or delivery orders. Restaurants (Class I license holders) will be allowed to sell beer, wine, and spirits to customers placing take-out or delivery orders.
- Sale of Alcohol: To encourage social distancing, restaurants and bars will be permitted to sell alcohol on drive-thru or curbside orders without customers having to exit their motor vehicles.
- Waiver of Excise Tax Penalties: Excise tax payees still have the duty to file and pay the excise tax according to statute. However, the executive order will waive penalties for late payments.
- Payment of wine and spirit deliveries: Under normal circumstances, wine and spirit deliveries must be paid within 30 days. The executive order will give restaurants and bars 90 days to pay for wine and spirit deliveries for the duration of the COVID-19 emergency. The requirement that beer deliveries be paid upon delivery is not changed.

Gov. Ricketts also issued an executive order on Thursday to allow DMVs flexibility in relations to drivers licensing and vehicle registration requirements. Ricketts is extending drivers licenses and vehicle registrations expiring on or after March 1st. It will remain in effect until 30 days after the order is lifted.

Nebraska Supreme Court

Nebraska Chief Justice Michael Heavican announced that state courts would continue to operate throughout the COVID-19 outbreak. ³

“Our state courts provide essential services for our communities. While some court services may be limited or disrupted, and some court buildings may have been closed by specific counties, our state courts remain both operational and accessible in each of Nebraska’s 93 counties. The health and safety of all court users and court staff is a priority. Our pandemic preparedness and response is designed to keep the Judicial Branch operational during this public health emergency and to provide the public with access to the courts.”

¹ https://journalstar.com/legislature/scheer-does-not-rule-out-legislative-session-outside-of-lincoln/article_6e4f00bb-ac69-5c55-a470-95f4c3fcc638.html

² <https://governor.nebraska.gov/press/gov-ricketts-issues-executive-order-provide-relief-restaurants-and-bars-during-covid-19>

³ <https://supremecourt.nebraska.gov/chief-justice-heavican-our-state-courts-remain-open>

Ballot Initiative

Senator Anna Wishart, who is leading the medical marijuana ballot initiative, provided an update on efforts amid the coronavirus outbreak. Wishart said that Nebraskans for Medical Marijuana is confident that they will still be able to collect the 130,000 voter signatures needed by July 2, once they are able to continue normal operations.

Federal Legislative Actions:

Removing Regulations for Rural Hospitals

U.S. Senator Ben Sasse called on the Department of Health and Human Services to give rural hospitals more flexibility during the pandemic. ⁴ “Nebraska’s rural hospitals are fighting this nasty virus on the frontlines and we need to make sure that unnecessary red tape doesn’t slow them down,” Senator Sasse said in a press conference issued Thursday.

Regulations that he’d like to see waived are:

1. Eliminate the 25-bed limitation for Critical Access Hospitals
2. Remove the regulations governing skilled nursing facility admission criteria that require a three-day hospital stay
3. Waive sanctions under the Emergency Medical Treatment Act and Active Labor Act for transfers or redirections of patients away from hospital emergency rooms to alternate care sites

Protecting Foster Youth

Nebraska Congressman Don Bacon, along with Jim Langevin (D-R.I.) and Karen Bass (D-Calif.) sent house leadership a letter on Wednesday asking to consider the needs to current and former foster youth as youth continue to address the COVID-19 outbreak. ⁵ “So many of our foster youth have zero support once they reach 18 and 19 and I want to make sure we provide them and their families with transitional assistance,” Bacon said. “I know that at 18 I needed help, and I was fortunate to have that support. As a foster-to-adopt parent, I have a heart for these kids who age out of the system. Unfortunately, they are the most vulnerable for homelessness and unemployment and I want to help them, and their foster families have hope for their futures as adults.”

Measures outlined in the letter include:

- Increase funding to Title IV-B of the Social Security Act. Title IV-B funding is used for matters such as child protection, family preservation, reunification, and post-adoption
- Support for former foster youth receiving federal support as they work toward a college degree
- Increased funding and flexibility to the Chafee Education Training Voucher Program
- Request Congress provide the Departments of Health and Human Services; Housing and Urban Development; and Agriculture with the funds and authority to temporarily waive program restrictions that could result in homelessness, food insecurity, or inadequate health care for current and former foster youth and their caregivers.

Tax Day

United States Treasury Secretary Steven Mnuchin announced Friday that Tax Day will be pushed back until July amid COVID-19 concerns. ⁶ Mnuchin said this delay is an effort to keep \$300 billion in the economy while the country battles the financial impact caused by the coronavirus. “I encourage all taxpayers who may have tax refunds to file now to get your money,” Mnuchin said. Earlier this week it was announced that business and individuals would be allowed to delay paying 2019 tax bills for 90 days past the April 15 deadline. Gov. Ricketts stated Friday that he would decide and announce if Nebraska would be extending its state tax filing deadline next week.

⁴ <https://nebraska.tv/news/local/senator-sasse-asking-for-regulations-to-be-waived-for-rural-hospitals-to-combat-covid-19>

⁵ <https://chronicleofsocialchange.org/child-welfare-2/legislators-request-protections-for-foster-youth-during-outbreak/41545>

⁶ <https://www.nbcnews.com/politics/politics-news/tax-day-postponed-until-july-15-mnuchin-says-n1164811>