

LEGISLATIVE PROPOSALS

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1. **Purpose:** To provide policy for preparing and processing legislative proposals and for tracking legislative bills of interest to the Department of Transportation (DOT). The office of primary responsibility for this DOT-OI is the Government Affairs Office. This DOT-OI supersedes DOT-OI 05-01 dated December 6, 2017.
 2. DOT operations are prescribed by state statutes. Changes to improve operations will be identified and recommendations for legislative bills and amendments will be prepared and processed so that they may be considered at the beginning of each regular legislative session. Adequate time will be allowed for review and a final decision on proposed legislation by the Director and other appropriate authority. Other bills and amendments which may impact the DOT likewise will be identified, tracked, and disseminated so as to provide the appropriate offices and the Director sufficient time and means for rapid evaluation.
 3. Deputies, division heads, and district engineers will initiate recommended changes in legislation for improvement of DOT operations and in response to changes in federal law, regulations, or funding.
 4. The Government Affairs Office will function as a focal point for receiving and processing proposed legislation and recommending priorities for consideration.
 5. The Government Affairs Office will: (A) Maintain a Bill History and bill files reflecting the status of bills of interest during each regular legislative session, (B) Secure copies of all bills and amendments, legislative journals, daily worksheets, hearing schedules, etc., and distribute them (including by electronic means) to appropriate offices, and (C) Coordinate with the appropriate offices in reporting the status of bills of interest to the DOT and serve as the coordination center for prepared statements for testimony and correspondence on all legislative bills.
 6. Division heads and district engineers will be knowledgeable as to the status of legislation within their individual areas of responsibility and advise the appropriate deputy director and/or Director and the Government Affairs Manager. Questions on the status of legislation may be directed to the Government Affairs Office or researched directly in the Nebraska Unicameral Legislature's website.
 7. Division heads and district engineers will be knowledgeable of DOT-OI 05-02, "Legislative Fiscal Notes."
 8. **Legislation proposed by the DOT:**
 - A. Division heads and district engineers will submit proposed legislation **through the appropriate deputy director** to the Government Affairs Manager.

- B. By August 1 of each year, the Government Affairs Office will issue a "call" for proposed legislation to all division heads and district engineers. Proposals will be submitted **through the appropriate deputy director** to the Government Affairs Manager by September 1 for use in the upcoming legislative session. Submissions will be in accordance with paragraph 9.
 - C. The Government Affairs Office will review each submission, eliminate duplications, ensure completeness and clarity, and submit a list of proposals for consideration by the Director.
 - D. The Director and the Government Affairs Manager will retain jurisdiction for all contacts with the Governor's office, legislative committees, etc., except when expressly delegated or when responding to technical questions. A concise summary of information furnished as a result of technical inquiries or delegated contacts will be forwarded promptly to the Government Affairs Office for information and filing.
9. **Legislation proposed by the DOT will be submitted through the appropriate deputy director to the Government Affairs Manager in the following format, using the form prescribed by the Governor's Policy Research Office as provided by the Government Affairs Office:**
- A. Provide a brief statement of the problem which the proposed legislation is to correct.
 - B. Provide a brief statement of changes in the law that the proposed legislation will make and the results that can be expected.
 - C. Provide a statement of the arguments **in favor** of the proposed legislation.
 - D. Provide a statement of the arguments **against** the proposed legislation.
 - E. Identify any organized groups (citizens, industry, etc.) which may be interested in the proposed legislation and whether they are expected to favor or oppose it.
 - F. If the legislation is required by or is in response to federal law, state, or federal court decisions, etc., attach copies of the relevant portions.
 - G. Provide a Fiscal Note approved by the DOT Budget and Finance Manager stating the fiscal impact of the proposed legislation.
 - H. Enclose a copy of the proposed legislative language initialed by the DOT Legal Counsel, thus indicating that a legal review has been accomplished. If the proposed legislative language cannot be prepared by the deadline for initial submission of the proposal, the legislative language may be submitted at a later time as prescribed by the Government Affairs Office.

10. The Government Affairs Office, in consultation with the office of primary responsibility and the DOT Legal Counsel, is responsible for having the proposed bill drafted in the form in which it is expected to be introduced.
11. All official correspondence and public hearing testimony will be submitted to the Government Affairs Office for review prior to submission to the Director for approval and subsequent review by the Governor's representative. Appropriate communication will follow in compliance with paragraph 8.D.
12. **Other legislation:**
 - A. Legislation within the jurisdiction of another state agency will be coordinated with that agency. All correspondence, whether written or electronic, will be coordinated through the Government Affairs Office, keeping the appropriate deputy director, and the Director apprised. The Government Affairs Manager is responsible for keeping the Governor's representative apprised.
 - B. Legislation, which is outside the jurisdiction of the DOT, but which will have a fiscal, policy or administrative impact upon the DOT, will be reviewed by the Government Affairs Office and the office of primary responsibility and coordinated with the appropriate deputy director. If official correspondence or public hearing testimony is deemed necessary, all such correspondence or hearing statements will be submitted to the Government Affairs Office for review prior to submission to the Director for approval and subsequent review by the Governor's representative. Appropriate communication will follow in compliance with paragraph 8.D.
13. Inquiries about legislation pertaining to DOT activities will be directed to the Government Affairs Office. These inquiries will then be directed to the office of primary responsibility for response. A concise summary of information furnished as a result of such inquiries will be promptly forwarded to the Government Affairs office for information and filing.

Moe Jamshidi, P.E.
Deputy Director – Operations

LEGISLATIVE FISCAL NOTES

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1. **Purpose:** To provide policy for the preparation of fiscal notes on proposed legislative bills. The office of primary responsibility for this DOT-OI is the Controller Division. This DOT-OI supersedes DOT-OI 05-02 dated December 6, 2017.
 2. Each legislative session, there are bills which will affect department operations and some of these bills will have a fiscal impact. The rules of the Legislature require that the Legislative Fiscal Office submit a fiscal note with each bill to the Clerk of the Legislature within 10 calendar days from the date that the bill is received by the Legislative Fiscal Office for analysis.
 3. Unless otherwise requested, the department will submit its response to the Legislative Fiscal Office by the date assigned by that office, or 72 hours prior to the public hearing, whichever is earlier.
 4. The Controller Division will serve as the central point for gathering the necessary information and preparing fiscal notes. Divisions and districts which are requested to do so, will provide assistance to the Controller Division as promptly as possible and in the manner requested. After being completed, the fiscal note will be routed through the deputies and Director for review and approval.
 5. Any disagreement with the contents of the fiscal note by the deputies or Director should be attached to the fiscal note prior to returning it to the Controller Division.
 6. Upon receipt of the circulated fiscal note, the Controller Division will modify the fiscal note, as required. One copy will be retained by the Controller Division and one will be sent to the Government Affairs Office. The original note will be forwarded to the Legislative Fiscal Office.

Khalil Jaber, P.E.
Deputy Director – Engineering