

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 705

Introduced by Dierks, 40

Read first time January 17, 2007

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to power districts; to amend section
2 70-1014.01, Reissue Revised Statutes of Nebraska; to
3 change special generation application provisions; and to
4 repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-1014.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 70-1014.01 An application by a municipality, a registered
4 group of municipalities, a public power district, a public power
5 and irrigation district, an electric cooperative, an electric
6 membership association, or any other governmental entity for
7 a facility that will generate not more than ~~ten~~ twenty-five
8 thousand kilowatts of electric energy at rated capacity and
9 will generate electricity using solar, wind, biomass, landfill
10 gas, methane gas, or hydropower generation technology or an
11 emerging generation technology, including, but not limited to,
12 fuel cells and micro-turbines, shall be deemed a special generation
13 application. Such application shall be approved by the board
14 if the board finds that (1) the application qualifies as a
15 special generation application, (2) the application will provide
16 public benefits sufficient to warrant approval of the application,
17 although it may not constitute the most economically feasible
18 generation option, and (3) the application under consideration
19 represents a separate and distinct project from any previous
20 special generation application the applicant may have filed.

21 Sec. 2. Original section 70-1014.01, Reissue Revised
22 Statutes of Nebraska, is repealed.