

AMENDMENTS TO LB 385

Introduced by Mello

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 66-1012, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 66-1012 Sections 66-1012 to 66-1019 and section 5 of this
6 act shall be known and may be cited as the Low-Income Home Energy
7 Conservation Act.

8 Sec. 2. Section 66-1014, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 66-1014 For purposes of the Low-Income Home Energy
11 Conservation Act:

12 (1) Department means the Department of Revenue;

13 (2) Eligible energy conservation grant means a grant
14 paid to an eligible person for an eligible energy conservation
15 improvement;

16 (3) Eligible energy conservation improvement means a
17 device, a method, equipment, or material that reduces consumption
18 of or increases efficiency in the use of electricity or natural gas
19 for a residence owned by an eligible person, including, but not
20 limited to, insulation and ventilation, storm or thermal doors or
21 windows, awnings, caulking and weatherstripping, furnace efficiency
22 modifications, thermostat or lighting controls, replacement or
23 modification of lighting fixtures or bulbs to increase the energy

1 efficiency of the home's lighting system, and systems to turn off
2 or vary the delivery of energy;

3 (4) Eligible entity means an entity providing ~~matching~~
4 funds pursuant to section 66-1015 and which is a public power
5 district organized under Chapter 70, article 6, a rural public
6 power district organized under Chapter 70, article 8, an electric
7 cooperative corporation organized under the Electric Cooperative
8 Corporation Act, a nonprofit corporation organized for the purpose
9 of furnishing electric service, a joint entity organized under the
10 Interlocal Cooperation Act, or a municipality; ~~and~~

11 (5) Eligible person means any resident of Nebraska who
12 owns his or her residence and whose household income is at or
13 below one hundred fifty percent of the federal poverty level,
14 as determined in accordance with the Low-Income Home Energy
15 Conservation Act; ~~and-~~

16 (6) Fiscal year means the state fiscal year which is the
17 period July 1 to the following June 30.

18 Sec. 3. Section 66-1015, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 66-1015 (1) The Energy Conservation Improvement Fund is
21 created. There shall be a separate subaccount within the fund for
22 each eligible entity remitting ~~matching~~ funds and administering
23 a program of eligible energy conservation improvements. The fund
24 shall be administered by the department. Funds shall be remitted
25 by the department to the State Treasurer for deposit in the
26 proper subaccount of the fund from ~~state sales taxes and matching~~
27 funds remitted by the eligible entity and state matching funds as

1 provided in subsection (2) of this section.

2 (2) (a) No later than September 1, 2012, and no later than
3 September 1 of each even-numbered year thereafter, any eligible
4 entity planning on administering a program of eligible energy
5 conservation improvements shall notify the department of the amount
6 the entity plans to remit pursuant to subdivision (2) (b) of this
7 section for each of the next two fiscal years.

8 (b) Commencing July 1, 2009, 2014, any eligible entity
9 may designate state sales taxes collected from customers remit
10 up to fifty thousand dollars per fiscal year for deposit in
11 the subaccount of the fund for that eligible entity. Any such
12 designation shall be accompanied by an equal amount of matching
13 funds from the eligible entity. The total amount designated in
14 any calendar year shall not exceed five percent of the total
15 state sales tax collected in the prior calendar year. The amount
16 deposited shall be matched from the amount transferred by the state
17 to the fund as provided in subsection (3) of this section and
18 deposited in the subaccount of the eligible entity. Amounts for
19 deposit shall be accepted on a first-come, first-served basis, and
20 when a total of two hundred fifty thousand dollars of deposits from
21 eligible entities has been received in a fiscal year, no further
22 deposits shall be accepted. Any deposits received from eligible
23 entities after the dollar limit has been reached shall be returned
24 to the eligible entity. Any nonencumbered amount remaining in the
25 fund at the end of the fiscal year shall be transferred to the
26 General Fund.

27 ~~(3) The department shall adopt a form to (a) designate~~

1 part of the state sales tax to be remitted for administering a
2 program of eligible energy conservation improvements and (b) remit
3 the matching funds.

4 (3) Commencing July 1, 2014, and each fiscal year
5 thereafter, it is the intent of the Legislature to transfer two
6 hundred fifty thousand dollars from the General Fund to the Energy
7 Conservation Improvement Fund for the purposes of this section.

8 (4) Any money in the fund available for investment
9 shall be invested by the state investment officer pursuant to
10 the Nebraska Capital Expansion Act and the Nebraska State Funds
11 Investment Act.

12 Sec. 4. Section 66-1016, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 66-1016 (1) An eligible entity that has remitted ~~matching~~
15 funds to the department as provided in section 66-1015 may
16 establish and administer a program of eligible energy conservation
17 grants.

18 (2) The program shall provide for an eligible energy
19 conservation grant from the Energy Conservation Improvement Fund to
20 an eligible person for installing an eligible energy conservation
21 improvement upon certification by the eligible entity that it
22 has approved an eligible energy conservation improvement for the
23 residence of the eligible person. The eligible entity shall verify
24 the purchase and installation of the eligible energy conservation
25 improvement at the eligible person's residence.

26 (3) The eligible entity may require the eligible person
27 to pay for a share of the cost of the eligible energy conservation

1 improvement, not to exceed twenty percent of the total cost. The
2 share of the cost to be paid by the eligible person may be
3 recovered by the eligible entity in monthly installments after
4 completion of the eligible energy conservation improvement by
5 adding an amount to the eligible person's electrical bill.

6 (4) The eligible entity shall certify to the department
7 the amount of money to be distributed from the applicable
8 subaccount of the Energy Conservation Improvement Fund for payments
9 of the energy conservation grants approved in subsection (2) of
10 this section. Requests for distribution may be filed no more
11 frequently than monthly. The department shall distribute money only
12 to the eligible entity.

13 Sec. 5. The Low-Income Home Energy Conservation Act
14 terminates on July 1, 2019.

15 Sec. 6. Original sections 66-1012, 66-1014, 66-1015, and
16 66-1016, Reissue Revised Statutes of Nebraska, are repealed.

17 Sec. 7. Since an emergency exists, this act takes effect
18 when passed and approved according to law.