

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 722**

Introduced by Wayne, 13.

Read first time January 03, 2018

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to power districts and corporations; to amend
- 2 section 70-601.01, Reissue Revised Statutes of Nebraska; to state
- 3 legislative findings; to provide a renewable energy electric power
- 4 generation requirement for certain districts as prescribed; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-601.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3 70-601.01 (1) The Legislature finds and declares that:

4 (a) Nebraska has been and will continue to be a state which is  
5 dependent on a stable, income-producing farm sector;

6 (b) When agriculture fails to produce adequate income for farmers,  
7 ranchers, and agricultural business interests within this state, the  
8 economic well-being of the state and its citizens will be threatened;

9 (c) There currently exists a chronic grain surplus within the state  
10 because of underutilization of grain products, and prices for grain  
11 remain unreasonably low because of such surplus and underutilization;

12 (d) Enlargement of the ethanol industry within the state would  
13 result in additional utilization of surplus grain;

14 (e) Ethanol will be increasingly in demand in the marketplace  
15 because of its efficacy as an octane enhancer and fuel extender;

16 (f) The public power industry within the state is experienced in the  
17 production and transmission of electrical power; and

18 (g) The experience of the public power industry could be used in the  
19 development of the production and distribution of ethanol and in the  
20 enhancement of the economic well-being of this state.

21 (2) The Legislature further finds:

22 (a) Hydrogen production and distribution may serve as a viable  
23 alternative in the marketplace for use in fuel processes;

24 (b) The public power industry within the state is experienced in the  
25 production and transmission of electrical power; and

26 (c) The experience of the public power industry could be used in the  
27 development of the production, storage, and distribution of hydrogen for  
28 use in fuel processes and in the enhancement of the economic well-being  
29 of this state.

30 (3) The Legislature further finds:

31 (a) It is in the public interest to develop and utilize renewable

1 energy resources in the state in a manner that protects and improves the  
2 health and economic well-being of the residents and natural environment  
3 of the state, while also providing tangible economic benefits to  
4 communities, ratepayers, and the overall economy; and

5 (b) The development and utilization of renewable energy potential in  
6 the state needs to be integrated into existing energy generation, supply,  
7 and transmission systems in a way that achieves system reliability, total  
8 capacity cost-effectiveness, and optimum short-term and long-term  
9 benefits to the residents of the state.

10 Sec. 2. Not later than July 1, 2020, a public power district  
11 organized pursuant to Chapter 70, article 6, having within its chartered  
12 territory more than fifty percent of all or part of the total number of  
13 counties in Nebraska, and engaged in the operation of electric generation  
14 and transmission facilities, shall produce not less than twenty percent  
15 of its electric power generation from one or more renewable energy  
16 resources. For purposes of this section, a renewable energy resource  
17 includes, but is not necessarily limited to, solar energy, wind energy,  
18 hydropower methane gas, nonhazardous biomass, and geothermal energy. A  
19 renewable energy resource does not include coal, petroleum, nuclear  
20 power, natural gas, or hazardous biomass.

21 Sec. 3. Original section 70-601.01, Reissue Revised Statutes of  
22 Nebraska, is repealed.