

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 266

Introduced by McCollister, 20.

Read first time January 12, 2021

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to renewable energy; to adopt the Renewable
- 2 Energy Standards Act; and to provide an operative date.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 7 of this act shall be known and may be
2 cited as the Renewable Energy Standards Act.

3 Sec. 2. (1) It is the policy of this state to encourage the
4 development of renewable electric power generation and to encourage the
5 use of renewable electric power to meet the needs of consumers.

6 (2) The Legislature finds that:

7 (a) A clean energy standard stimulates clean energy innovation and
8 will allow Nebraska to achieve a near net-zero emission electric sector
9 at the lowest cost;

10 (b) A clean energy standard will guide power sector investment while
11 helping to ensure that Nebraska is a leader in the clean energy
12 transition;

13 (c) Achieving these energy goals will require concerted action from
14 individuals and the community, in urban and rural areas, from local and
15 state governments, and from businesses and utilities;

16 (d) The scientific consensus is clear that human activities are
17 primarily responsible for accelerating global climate change;

18 (e) Public power utilities are uniquely positioned to help
19 communities create clean energy policies;

20 (f) Public power utilities recognize an obligation to safeguard the
21 environment, regional energy resources, and the economic well-being of
22 communities through investment in clean energy alternatives and renewable
23 resources;

24 (g) Nuclear power can be an essential energy source to reduce carbon
25 emissions;

26 (h) Disaster resilience in Nebraska is bolstered by the generation
27 and storage of energy from distributed solar and other renewable energy
28 sources;

29 (i) The clean energy economy presents opportunities for workers in
30 manufacturing, construction, and the service sector; and

31 (j) Workers provide innovation for clean energy economies.

1 Sec. 3. For purposes of the Renewable Energy Standards Act:

2 (1) Clean energy standard means a technology-neutral portfolio goal
3 that requires a certain percentage of zero-carbon or low-carbon resource
4 utility sales, including, but not limited to, renewable energy, nuclear
5 energy, and coal or natural gas fitted with carbon capture;

6 (2) Public power supplier means a public power district organized
7 under Chapter 70, article 6, a public power and irrigation district, a
8 municipality, a registered group of municipalities, an electric
9 cooperative, an electric membership association, a joint entity formed
10 under the Interlocal Cooperation Act, a joint public agency formed under
11 the Joint Public Agency Act, an agency formed under the Municipal
12 Cooperative Financing Act, or any other governmental entity providing
13 electric service; and

14 (3) Renewable energy generation facility means and includes:

15 (a) A demand side management facility, whether public-power-
16 supplier-located or customer-located, a solar energy facility, a wind
17 turbine facility, a waste management facility, a cogeneration facility,
18 an agricultural crop or residue energy generation facility, or a
19 transmutation of elements facility, but shall not include any form of
20 waste incineration for energy recovery;

21 (b) The land, systems, buildings, or improvements located at a
22 facility described in subdivision (3)(a) of this section that are
23 necessary or convenient to the construction, completion, or operation of
24 the facility; and

25 (c) The transmission and distribution facilities necessary to
26 conduct the energy produced by a facility described in subdivision (3)(a)
27 of this section to users.

28 Sec. 4. A public power supplier may place renewable electric power
29 generation capacity in service by:

30 (1) Constructing or acquiring ownership of renewable energy
31 production facilities; or

1 (2) Entering into contracts to purchase electricity from renewable
2 energy production facilities.

3 Sec. 5. Public power suppliers shall achieve net-zero carbon
4 emissions by 2050.

5 Sec. 6. The Renewable Energy Standards Act shall not apply to a
6 public power supplier if the board of directors of such public power
7 supplier makes a declaration that compliance with the act will negatively
8 affect the reliable operation of such public power supplier's power
9 system.

10 Sec. 7. This act becomes operative on January 1, 2022.