

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 285**

Introduced by McCollister, 20.

Read first time January 15, 2019

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to appropriations; to state intent to
- 2 appropriate additional funds to the Nebraska Power Review Board for
- 3 a study; to state public policy; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. It is the intent of the Legislature to appropriate an  
2 additional \$200,000 for FY2019-20 to the Nebraska Power Review Board from  
3 the General Fund to provide funds to conduct or cause to be conducted a  
4 study of electric transmission and distribution infrastructure and policy  
5 and future needs for electric transmission and distribution  
6 infrastructure and policy in the state to encourage and facilitate the  
7 development of renewable energy generation facilities in Nebraska,  
8 including, but not limited to, those facilities that may alleviate  
9 electric transmission and distribution constraints or obviate the need  
10 for electric transmission or distribution upgrades, resulting in an  
11 overall financial benefit to Nebraska ratepayers.

12           Sec. 2. It is the policy of the state to encourage and allow  
13 opportunities for development and operation of renewable energy  
14 generation projects, energy storage facilities, and distributed energy  
15 generation projects in a manner that protects Nebraska ratepayers and  
16 results in economic development and employment opportunities for  
17 residents and communities of the state and cost-saving opportunities for  
18 the state's utilities.

19           Sec. 3. The purposes of the study provided for under sections 1 to  
20 5 of this act shall include, but not be limited to, identification of  
21 electric transmission and distribution constraints and opportunities and  
22 ways in which renewable energy generation projects and energy storage  
23 projects can become part of the planning and implementation of the future  
24 of the state's electric transmission and distribution facilities and can  
25 be used to address the constraints and opportunities the study  
26 identifies.

27           Sec. 4. The scope of the study provided for under sections 1 to 5  
28 of this act shall include input from a working group that the Natural  
29 Resources Committee of the Legislature shall coordinate, which may  
30 include, but not be limited to, members of the Legislature, the State  
31 Energy Office, the Department of Economic Development, public power

1 districts and other Nebraska electric providers, renewable energy  
2 development companies, municipalities, the Southwest Power Pool, the  
3 Western Area Power Administration, other electric transmission system  
4 owners, electric transmission system operators, electric transmission  
5 system developers, environmental interests, and other interested parties.

6       Sec. 5. (1) The Nebraska Power Review Board shall issue a request  
7 for proposals to conduct the study provided for under sections 1 to 5 of  
8 this act after consultation with the working group described in section 4  
9 of this act to determine the scope of such study.

10       (2) Any contracts or agreements entered into under this section  
11 shall not be subject to the Nebraska Consultants' Competitive Negotiation  
12 Act or sections 73-301 to 73-306 or 73-501 to 73-510.

13       (3) The Nebraska Power Review Board shall present the results of the  
14 study to the Executive Board of the Legislative Council with a copy to  
15 the Clerk of the Legislature, the Governor, and the members of the  
16 working group described in section 4 of this act on or before December  
17 20, 2019. The reports to the Legislature shall be submitted  
18 electronically.

19       Sec. 6. Since an emergency exists, this act takes effect when  
20 passed and approved according to law.