

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 385

Introduced by Utter, 33; at the request of the Governor.

Read first time January 13, 2011

Committee: Revenue

A BILL

1 FOR AN ACT relating to the Low-Income Home Energy Conservation Act;
2 to amend sections 66-1015 and 66-1016, Reissue Revised
3 Statutes of Nebraska; to terminate the Energy
4 Conservation Improvement Fund and distributions from the
5 fund; to repeal the original sections; and to declare an
6 emergency.

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

1 Section 1. Section 66-1015, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 66-1015 (1) The Energy Conservation Improvement Fund is
4 created. There shall be a separate subaccount within the fund for
5 each eligible entity remitting matching funds and administering a
6 program of eligible energy conservation improvements. The fund shall
7 be administered by the department. Funds shall be remitted by the
8 department to the State Treasurer for deposit in the proper
9 subaccount of the fund from state sales taxes and matching funds
10 remitted by the eligible entity as provided in subsection (2) of this
11 section.

12 (2) Commencing July 1, 2009, and until the effective date
13 of this act, any eligible entity may designate state sales taxes
14 collected from customers for deposit in the subaccount of the fund
15 for that eligible entity. Any such designation shall be accompanied
16 by an equal amount of matching funds from the eligible entity. The
17 total amount designated in any calendar year shall not exceed five
18 percent of the total state sales tax collected in the prior calendar
19 year.

20 (3) The department shall adopt a form to (a) designate
21 part of the state sales tax to be remitted for administering a
22 program of eligible energy conservation improvements and (b) remit
23 the matching funds.

24 (4) Any money in the fund available for investment shall
25 be invested by the state investment officer pursuant to the Nebraska

1 Capital Expansion Act and the Nebraska State Funds Investment Act.

2 (5) The fund shall terminate on June 30, 2012. Any money
3 from designated state sales taxes remaining in the fund on such date
4 shall be deposited in the General Fund, and any matching funds
5 contributed by an eligible entity remaining in the fund on such date
6 shall be refunded to the contributing eligible entity.

7 Sec. 2. Section 66-1016, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 66-1016 (1) An eligible entity that has remitted matching
10 funds to the department as provided in section 66-1015 may establish
11 and administer a program of eligible energy conservation grants.

12 (2) The program shall provide for an eligible energy
13 conservation grant from the Energy Conservation Improvement Fund to
14 an eligible person for installing an eligible energy conservation
15 improvement upon certification by the eligible entity that it has
16 approved an eligible energy conservation improvement for the
17 residence of the eligible person. The eligible entity shall verify
18 the purchase and installation of the eligible energy conservation
19 improvement at the eligible person's residence.

20 (3) The eligible entity may require the eligible person
21 to pay for a share of the cost of the eligible energy conservation
22 improvement, not to exceed twenty percent of the total cost. The
23 share of the cost to be paid by the eligible person may be recovered
24 by the eligible entity in monthly installments after completion of
25 the eligible energy conservation improvement by adding an amount to

1 the eligible person's electrical bill.

2 (4) The eligible entity shall certify to the department
3 the amount of money to be distributed from the applicable subaccount
4 of the Energy Conservation Improvement Fund for payments of the
5 energy conservation grants approved in subsection (2) of this
6 section. Requests for distribution may be filed no more frequently
7 than monthly. The department shall distribute money only to the
8 eligible entity. No distribution may occur on or after June 30, 2012.

9 Sec. 3. Original sections 66-1015 and 66-1016, Reissue
10 Revised Statutes of Nebraska, are repealed.

11 Sec. 4. Since an emergency exists, this act takes effect
12 when passed and approved according to law.