

AMENDMENTS TO LB585

Introduced by Friesen, 34.

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

3           Section 1. For purposes of sections 1 to 7 of this act:

4           (1) Department means the Department of Environment and Energy;

5           (2) E-15 means a blend of ethanol and gasoline in which ethanol  
6 comprises fifteen percent of the blend by volume;

7           (3) E-85 means a blend of ethanol and gasoline in which ethanol  
8 comprises seventy percent or more of the blend by volume;

9           (4) Motor fuel pump means a meter or similar commercial weighing and  
10 measuring device used to measure and dispense motor fuel originating from  
11 a motor fuel storage tank;

12           (5) Program means the Renewable Fuel Infrastructure Program created  
13 in section 2 of this act;

14           (6) Retail dealer means a person engaged in the business of storing  
15 and dispensing motor fuel from a motor fuel pump for sale on a retail  
16 basis; and

17           (7) Retail motor fuel site means a geographic location in this state  
18 where a retail dealer sells and dispenses motor fuel from a motor fuel  
19 pump on a retail basis.

20           Sec. 2. The Renewable Fuel Infrastructure Program is created. The  
21 purpose of the program is to improve retail motor fuel sites by  
22 installing, replacing, or converting ethanol infrastructure to be used to  
23 store, blend, or dispense renewable fuel. The program shall function as a  
24 grant program administered by the department. Grant applications shall be  
25 made on a form prescribed by the department. Grant funds shall be  
26 distributed to eligible persons for eligible ethanol infrastructure  
27 projects under the requirements in section 3 of this act.

1           Sec. 3. (1) A person shall be eligible to apply for a grant under  
2 the program if the person is an owner or operator of a retail motor fuel  
3 site.

4           (2) An ethanol infrastructure project shall be eligible for a grant  
5 under the program if such project is:

6           (a) Designed and used exclusively to store and dispense E-15  
7 gasoline or E-85 gasoline or a blend of ethanol and gasoline from a motor  
8 fuel pump designed to blend such motor fuels together in blends higher  
9 than E-15. Such E-15 gasoline shall be a registered fuel recognized by  
10 the United States Environmental Protection Agency;

11           (b) On the premises of a retail motor fuel site; and

12           (c) Subject to a cost-share agreement as described in section 5 of  
13 this act.

14           (3) An ethanol infrastructure project shall not be eligible for a  
15 grant under the program if such infrastructure includes a tank vehicle.

16           Sec. 4. Any eligible person applying for a grant under the program  
17 shall include the following information in the application:

18           (1) The name of the person and the address of the retail motor fuel  
19 site to be improved;

20           (2) A detailed description of the infrastructure to be installed,  
21 replaced, or converted, including, but not limited to, the model number  
22 of each motor fuel storage tank to be installed, replaced, or converted,  
23 if available;

24           (3) A statement describing how the retail motor fuel site is to be  
25 improved, the estimated cost of the planned improvement, and the date  
26 when the infrastructure will be first used; and

27           (4) A statement certifying the infrastructure project complies with  
28 section 3 of this act and will comply with a cost-share agreement entered  
29 into with the department pursuant to section 5 of this act unless granted  
30 a waiver by the department.

31           Sec. 5. (1) The department shall determine the amount of the grants

1 to be awarded under the program. The department shall award grants to the  
2 maximum number of qualified applicants and may approve up to one million  
3 dollars in grants in any calendar year.

4 (2) The department shall approve and execute a cost-share agreement  
5 according to terms and conditions set by the department with an eligible  
6 person whose application is approved by the department for such grant.  
7 Such cost-share agreement shall state the total costs related to  
8 improving a retail motor fuel site, the amount of the grant, and whether  
9 the agreement is for a three-year or five-year period.

10 (3) In awarding grants under the program, an award shall not exceed  
11 (a) fifty percent of the estimated cost of the improvement or thirty  
12 thousand dollars, whichever is less, for a three-year cost-share  
13 agreement, or (b) seventy percent of the estimated costs of making the  
14 improvement or fifty thousand dollars, whichever is less, for a five-year  
15 cost-share agreement. The department may approve multiple improvements to  
16 the same retail motor fuel site so long as the total amount of the grants  
17 does not exceed the limitations in this subsection.

18 Sec. 6. A retail motor fuel site that is improved using grants  
19 under the program shall comply with federal and state standards governing  
20 new or upgraded motor fuel storage tanks used to store and dispense  
21 renewable fuels. A retail motor fuel site that is improved using grants  
22 under the program shall not use such infrastructure to store and dispense  
23 motor fuel other than the type of renewable fuel approved by the  
24 department in the cost-share agreement, unless granted a waiver by the  
25 department.

26 Sec. 7. The Renewable Fuel Infrastructure Fund is created. The fund  
27 shall consist of appropriations made by the Legislature, transfers  
28 authorized by the Legislature, grants, and any contributions designated  
29 for the purpose of the fund. Any money in the fund available for  
30 investment shall be invested by the state investment officer pursuant to  
31 the Nebraska Capital Expansion Act and the Nebraska State Funds

1 Investment Act. The fund shall be administered by the department and used  
2 to award grants under the program. No more than ten percent of the fund  
3 shall be used for administration of the program.

4       Sec. 8. This act becomes operative on January 1, 2020.