

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 704**

Introduced by McCollister, 20.

Read first time January 23, 2019

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to state government; to state findings and
- 2 intent; to define a term; to provide requirements regarding energy
- 3 purchases for state-owned buildings; to initiate a request for
- 4 proposals for renewable energy; to provide for a study relating to
- 5 state vehicles; to require reports; and to declare an emergency.
- 6 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Legislature finds that:

2           (a) Energy costs are a significant item of state expenditures;

3           (b) Energy costs must be managed and reduced where possible;

4           (c) The state must make efficient use of resources on behalf of the  
5 residents of the state;

6           (d) Efficient use of energy saves money for taxpayers, makes  
7 buildings safer and healthier, and benefits the environment;

8           (e) The state has strong and valuable natural resources, including  
9 the wind and sun, that can be used to generate electricity;

10          (f) There are many benefits resulting from purchasing electricity  
11 from instate renewable energy generation facilities, including, but not  
12 limited to, cost savings to the state and lower carbon dioxide and other  
13 carbon emissions;

14          (g) The State Energy Office entered into a cooperative agreement  
15 with the United States Department of Energy in 2017 to benchmark energy  
16 consumption in all state government buildings in the state, to be  
17 completed by 2020;

18          (h) The Nebraska Benchmarking and Beyond Initiative includes a  
19 partnership with the University of Nebraska-Lincoln to develop the ENERGY  
20 STAR Portfolio Manager data base; and

21          (i) The cooperative agreement between the State Energy Office and  
22 the University of Nebraska-Lincoln was the first step in establishing an  
23 energy efficiency baseline leading to a statewide policy of annual energy  
24 consumption benchmarking for all state-owned buildings.

25          (2) It is the intent of the Legislature that:

26          (a) The State Energy Office shall continue implementing the energy  
27 efficiency and consumption policy for the state without further General  
28 Fund appropriations; and

29          (b) The Department of Administrative Services use an appropriation  
30 of fifty thousand dollars for fiscal year 2021-22 to analyze and compile  
31 the results of the Nebraska Benchmarking and Beyond Initiative to assess

1 utilization of resources, including using instate renewable energy  
2 generation for state-owned buildings, reduction of energy consumption in  
3 state-owned buildings, and other measures to increase energy efficiency  
4 in state-owned buildings.

5 (3) For purposes of this section, renewable energy means energy  
6 generated using wind, solar power, biomass, hydropower, or methane  
7 produced by anaerobic digesters.

8 (4) The Department of Administrative Services shall prepare a  
9 request for proposals for contracts for purchase of energy to meet the  
10 requirements of this subsection. Of all energy purchased for state-owned  
11 buildings, the State of Nebraska, including the University of Nebraska,  
12 shall purchase at least fifty percent from renewable energy sources by  
13 2022, at least sixty percent from renewable energy sources by 2025, at  
14 least seventy percent from renewable energy sources by 2028, and at least  
15 eighty percent from renewable energy sources by 2031. The department  
16 shall analyze available data and studies and prepare a compilation that  
17 includes:

18 (a) An examination of historical and current energy usage, energy  
19 expenditures, and energy sources for all state-owned buildings;

20 (b) An analysis of opportunities for cost savings in state energy  
21 expenditures through increased utilization of electricity from instate  
22 renewable energy generation and conservation;

23 (c) Identification of ways that the state could increase utilization  
24 of electricity from instate renewable energy generation to provide energy  
25 for state-owned buildings, including, but not limited to, co-location of  
26 renewable energy generation facilities at or near state-owned buildings  
27 and agreements with public power utilities to lock energy prices or  
28 portions of the electricity generation from instate renewable energy  
29 generation resources;

30 (d) Identification of barriers to increased utilization of  
31 electricity from instate renewable energy generation resources for state-

1 owned buildings; and

2 (e) An analysis of other relevant information to assess the  
3 potential to increase utilization of electricity from instate renewable  
4 energy generation resources, to reduce the energy consumption by state-  
5 owned buildings, and to increase energy efficiency.

6 (5)(a) The Department of Administrative Services shall receive input  
7 for the scope of the compilation from a working group that may include,  
8 but need not be limited to, members of the Legislature, the State Energy  
9 Office, the University of Nebraska, the Department of Economic  
10 Development, public power districts, other electric providers in  
11 Nebraska, municipalities, environmental interests, and other interested  
12 parties.

13 (b) The Department of Administrative Services shall assist the work  
14 group to develop a plan for submission to the Legislature to prioritize  
15 energy efficiency upgrades for state-owned buildings. The plan shall  
16 include a budget, a timetable, and a schedule of cost recovery for  
17 investments in such improvements.

18 (c) The department shall provide the plan electronically to the  
19 Executive Board of the Legislative Council on or before December 15,  
20 2019, and to the Governor and the Clerk of the Legislature on or before  
21 such date.

22 (6) The transportation services bureau of the Department of  
23 Administrative Services shall conduct a study to determine a cost-  
24 effective method of investing in electronic vehicles for use by the State  
25 of Nebraska, including the benefits of reduced energy consumption and  
26 maintenance costs. The study under this subsection shall be funded from  
27 the Volkswagen Settlement Cash Fund, if created.

28 (7) Any contracts entered into under this section shall not be  
29 subject to the Nebraska Consultants' Competitive Negotiation Act or  
30 sections 73-301 to 73-306 or 73-501 to 73-510.

31 Sec. 2. Since an emergency exists, this act takes effect when

1 passed and approved according to law.