

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB700

Hearing Date: Wednesday March 06, 2019
Committee On: Natural Resources
Introducer: Bostelman
One Liner: Provide for decommissioning and reclamation of a wind energy conversion system

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser
Nay:	1	Senator Quick
Absent:		
Present Not Voting:		

Oral Testimony:

Proponents:

Senator Bruce Bostelman
Kristen Gottschalk
Philip Wehrman
Terry Madson

Representing:

Introducer
Nebraska Rural Electric Association
self
self

Opponents:

David Levy
David Bracht
John Hansen

Representing:

BHE Renewables
Invenerg, LLC, and NextEra Energy Resources, LLC
Nebraska Farmers Union

Neutral:

Chris Dibbern

Representing:

Nebraska Municipal Power Pool

Summary of purpose and/or changes:

LB 700 would state that every person owning, operating or managing a wind energy conversion system is responsible for all decommissioning and reclamation costs associated with removing all above and below ground equipment. The bill also defines reclamation as restoration of the area on which a wind energy conversion system is constructed to its condition prior to construction. The bill would also apply to Board of Educational Lands and Funds' wind or solar energy production agreements.

Explanation of amendments:

The committee amendment, AM1098, strikes the original language and would become the bill. The amendment would do the following:

Create new statutory intent language providing that it is the policy of the state that our land be restored to predevelopment condition when wind turbines are decommissioned;
- Require that wind turbine owners who are parties to wind agreements provide landowners with detailed information on materials and equipment that will remain on their land when a wind turbine is decommissioned;

- Require that every wind agreement executed on or after January 1, 2020, provide for the removal of below grade foundation material and equipment upon decommissioning; but excludes wind turbines that will be used for repowering within 24 months;
- Require that voids left from removal of such equipment and material be restored to pre-installation condition or an improved condition per agreement between the landowner and turbine owner;
- Define foundation material and equipment;
- Define repowering;
- Allow political subdivisions to enact standards that meet or exceed the requirements in this bill; and
- Amend three other sections in statute that make reference to decommissioning and wind agreements to include the provisions of this act.

Dan Hughes, Chairperson