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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 343

01/17/2023 Authored by Igo, Engen, Davis, Schultz, Robbins and others
The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy

1.1 A bill for an act
1.2 relating to energy; modifying the hydroelectric capacity that qualifies as an eligible
1.3 energy technology under the renewable energy standard; amending Minnesota
1.4 Statutes 2022, section 216B.1691, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 216B.1691, subdivision 1, is amended to read:

1.7 Subdivision 1. Definitions. (a) Unless otherwise specified in law, "eligible energy
1.8 technology" means an energy technology that generates electricity from the following
1.9 renewable energy sources:

1.10 (1) solar;

1.11 (2) wind;

1.12 (3) hydroelectric with a capacity of less than 100 megawatts;

1.13 (4) hydrogen, provided that after January 1, 2010, the hydrogen must be generated from
1.14 the resources listed in this paragraph; or

1.15 (5) biomass, which includes, without limitation, landfill gas; an anaerobic digester
1.16 system; the predominantly organic components of wastewater effluent, sludge, or related
1.17 by-products from publicly owned treatment works, but not including incineration of
1.18 wastewater sludge to produce electricity; and an energy recovery facility used to capture
1.19 the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal
1.20 solid waste as a primary fuel.

1.21 (b) "Electric utility" means a public utility providing electric service, a generation and
1.22 transmission cooperative electric association, a municipal power agency, or a power district.

2.1 (c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year by
2.2 an electric utility to retail customers of the electric utility or to a distribution utility for
2.3 distribution to the retail customers of the distribution utility. "Total retail electric sales"
2.4 does not include the sale of hydroelectricity supplied by a federal power marketing
2.5 administration or other federal agency, regardless of whether the sales are directly to a
2.6 distribution utility or are made to a generation and transmission utility and pooled for further
2.7 allocation to a distribution utility.

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.