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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2592

03/18/2019 Authored by Bierman, Christensen and Huot The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to schools; authorizing school boards to own and operate renewable energy
1.3 systems; amending Minnesota Statutes 2018, section 123B.02, subdivision 21.

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

1.5 Section 1. Minnesota Statutes 2018, section 123B.02, subdivision 21, is amended to read:

1.6 Subd. 21. ~~Wind energy conversion system~~ Renewable energy. (a) The board, or more
1.7 than one board acting jointly under the authority granted by section 471.59, may construct,
1.8 acquire, own in whole or in part, operate, and sell and retain and spend the payment received
1.9 from selling energy from a ~~wind energy conversion system, as defined in section 216C.06,~~
1.10 ~~subdivision 19. An individual school board's share of the installed capacity of the wind~~
1.11 ~~energy conversion systems authorized by this subdivision must not exceed 3.3 megawatts~~
1.12 ~~of nameplate capacity, provided that if more than one board is acting jointly, each board~~
1.13 ~~may have a separate share of no more than 3.3 megawatts of nameplate capacity~~ renewable
1.14 energy system or an energy storage system.

1.15 (b) A board owning, operating, or selling energy from a ~~wind energy conversion~~
1.16 renewable energy system or an energy storage system must integrate information about
1.17 ~~wind energy conversion~~ the systems in its educational programming.

1.18 (c) The board, or more than one board acting jointly under the authority granted by
1.19 section 471.59, may be a limited partner in a partnership, a member of a limited liability
1.20 company, or a shareholder in a corporation, established for the sole purpose of constructing,
1.21 acquiring, owning in whole or in part, financing, or operating a ~~wind energy conversion~~
1.22 renewable energy system or an energy storage system for the benefit of the district or districts
1.23 in accordance with this section.

2.1 (d) A board individually, or acting jointly, or an entity of which a board is a limited  
2.2 partner, member, or shareholder, may not sell, transmit, or distribute the electrical energy  
2.3 at retail or provide for end use of the electrical energy at an off-site facility of the board or  
2.4 entity. Nothing in this subdivision modifies the exclusive service territories or exclusive  
2.5 right to serve as provided in sections 216B.37 to 216B.43.

2.6 (e) For the purposes of this section:

2.7 (1) "renewable energy system" means hydro, wind, solar, and geothermal energy and  
2.8 the use of trees or other vegetation as fuel; and

2.9 (2) "energy storage system" means a commercially available technology that uses  
2.10 mechanical, chemical, or thermal processes to:

2.11 (i) store energy and deliver the stored energy for use at a later time; or

2.12 (ii) store thermal energy for direct use for heating or cooling at a later time in a manner  
2.13 that reduces the demand for electricity at a later time.

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