

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0385.01 Esther van Mourik x4215

SENATE BILL 15-063

SENATE SPONSORSHIP

Donovan,

HOUSE SPONSORSHIP

(None),

Senate Committees

Agriculture, Natural Resources, & Energy
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXPANSION OF THE WIND FOR SCHOOLS GRANT**
102 **PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill takes the existing wind for schools grant program enacted in 2007 and broadens the program to include other types of electricity generated from eligible energy resources. The 2007 program allowed for grants not to exceed \$5,000 to be provided to public schools and community colleges for wind generation projects, was funded by federal "American Recovery and Reinvestment Act" money, required the schools

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

to work with the national renewable energy laboratory to establish the projects, and was overseen by the Colorado energy office. This expanded program allows for grants not to exceed \$15,000 and continues to be overseen by the Colorado energy office. Because the national renewable energy laboratory no longer accepts applications for these grants, the bill also removes the requirement for a school to partner with the national renewable energy laboratory.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 22-89-101 as
3 follows:

4 **22-89-101. Short title.** This article shall be known and may be
5 cited as the "~~Wind~~ ALTERNATIVE ENERGY for Schools Grant Program".

6 **SECTION 2.** In Colorado Revised Statutes, **amend** 22-89-102 as
7 follows:

8 **22-89-102. Legislative declaration.** (1) The general assembly
9 hereby finds, determines, and declares that:

10 (a) Colorado's schools face a perennial struggle with tight budgets,
11 and their financial difficulties are worsened by volatile electricity ENERGY
12 prices that often lead to high electricity ENERGY bills;

13 (b) A small but growing number of schools have responded to
14 these difficulties by beginning to produce their own electricity with wind
15 turbines ENERGY;

16 (c) By producing their own electricity with wind turbines ENERGY,
17 some schools have reduced their electricity costs while promoting energy
18 independence and environmental responsibility and have provided
19 students with an opportunity to understand this burgeoning technology;

20 (d) The general assembly would serve the best interests of
21 Colorado schools by supporting the efforts of public schools and
22 community colleges that are considering ~~wind power~~ ALTERNATIVE

1 ENERGY projects; AND

2 (e) THE GENERAL ASSEMBLY WOULD BEST SERVE THE INTEREST OF
3 COLORADO SCHOOLS BY REVISING THE WIND FOR SCHOOLS PROGRAM, AS
4 IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH (e), TO
5 INCORPORATE A BROADER RANGE OF ALTERNATIVE ENERGY PROJECTS.

6 **SECTION 3.** In Colorado Revised Statutes, **amend** 22-89-103 as
7 follows:

8 **22-89-103. Definitions.** As used in this article, unless the context
9 otherwise requires:

10 (1) ~~"Colorado energy office" means the Colorado energy office~~
11 ~~created in section 24-38.5-101, C.R.S.~~ "ALTERNATIVE ENERGY" MEANS
12 ELECTRICITY GENERATED FROM ELIGIBLE ENERGY RESOURCES AS DEFINED
13 IN SECTION 40-2-124 (1), C.R.S., OR THERMAL ENERGY CAPTURED OR
14 UTILIZED BY GEOTHERMAL, SOLAR THERMAL, OR BIOMASS TECHNOLOGIES.

15 (2) ~~"Qualified school" means a public school or community~~
16 ~~college in the state that is working with the national renewable energy~~
17 ~~laboratory to establish a wind for schools project. A qualified school shall~~
18 ~~have a project team involved that includes the school, community, and~~
19 ~~technical assistance membership.~~ "ALTERNATIVE ENERGY FOR SCHOOLS
20 GRANT PROGRAM" OR "GRANT PROGRAM" MEANS THE GRANT PROGRAM
21 CREATED PURSUANT TO SECTION 22-89-104 TO FUND ALTERNATIVE
22 ENERGY PROJECTS AT A QUALIFIED SCHOOL.

23 (3) ~~"Wind for schools grant program" or "grant program" means~~
24 ~~the grant program created pursuant to section 22-89-104 to fund wind~~
25 ~~power projects at a qualified school.~~ "ALTERNATIVE ENERGY FOR
26 SCHOOLS PROJECT" MEANS A PROJECT SUPPORTED BY THE COLORADO
27 ENERGY OFFICE TO HELP A QUALIFIED SCHOOL INSTALL ALTERNATIVE

1 ENERGY GENERATION THAT WILL HELP DEFRAY THE SCHOOL'S ENERGY
2 COSTS AND PROVIDE EDUCATIONAL OPPORTUNITIES FOR STUDENTS
3 RELATING TO SUCH GENERATION.

4 (4) ~~"Wind for schools project" means a project supported by the~~
5 ~~national renewable energy laboratory and wind powering America to help~~
6 ~~a qualified school install a wind turbine that will help defray the school's~~
7 ~~energy costs and provide educational opportunities for students relating~~
8 ~~to the generation of wind power.~~ "COLORADO ENERGY OFFICE" MEANS
9 THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101, C.R.S.

10 (5) "PUBLIC SCHOOL" MEANS A PUBLIC SCHOOL AS PROVIDED IN
11 SECTION 22-1-101, INCLUDING A CHARTER SCHOOL AUTHORIZED BY A
12 SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE OR
13 AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER
14 SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

15 (6) "QUALIFIED SCHOOL" MEANS A PUBLIC SCHOOL OR COMMUNITY
16 COLLEGE IN THE STATE THAT IS WORKING WITH THE COLORADO ENERGY
17 OFFICE TO ESTABLISH AN ALTERNATIVE ENERGY FOR SCHOOLS PROJECT. A
18 QUALIFIED SCHOOL MUST HAVE A PROJECT TEAM INVOLVED THAT
19 INCLUDES THE SCHOOL, COMMUNITY, AND TECHNICAL ASSISTANCE
20 MEMBERSHIP.

21 **SECTION 4.** In Colorado Revised Statutes, **amend** 22-89-104 as
22 follows:

23 **22-89-104. Alternative energy for schools grant program -**
24 **created - applications.** (1) There is hereby created the ~~wind~~
25 ALTERNATIVE ENERGY for schools grant program to fund ~~wind~~
26 ALTERNATIVE ENERGY for schools projects at qualified schools. A
27 qualified school may with the written authorization of the local board of

1 education, apply to the Colorado energy office, in accordance with
2 procedures and deadlines adopted by the office, to receive moneys
3 through the grant program. The office shall administer the grant program
4 as provided in this article and pursuant to policies adopted by the office.

5 (2) (a) The Colorado energy office shall adopt policies specifying
6 when a qualified school may request a grant and the procedure for making
7 the request.

8 (b) A qualified school that receives a grant through the grant
9 program shall MUST use the moneys received to pay for technical
10 assistance, equipment, or installation costs associated with a ~~wind~~ AN
11 ALTERNATIVE ENERGY for schools project.

12 **SECTION 5.** In Colorado Revised Statutes, **amend** 22-89-105 as
13 follows:

14 **22-89-105. Alternative energy for schools grant program -**
15 **policies - awarding grants.** (1) The Colorado energy office shall adopt
16 policies for the implementation of the ~~wind~~ ALTERNATIVE ENERGY for
17 schools grant program. At a minimum, the policies shall MUST specify the
18 procedures for applying for a grant, the form of the grant application, the
19 information to be provided by the applicant, and the criteria for awarding
20 grants.

21 (2) (a) The Colorado energy office shall review each grant
22 application received from a qualified school pursuant to section
23 22-89-104 and shall make a determination as to whether the grant should
24 be awarded and, except as provided in paragraph (c) of this subsection
25 (2), the amount of the grant. If the office determines an application is
26 missing any information required by the office's policy to be included
27 with the application, the office may contact the applicant to obtain the

1 missing information.

2 (b) In awarding grants pursuant to this article, the Colorado
3 energy office shall consider, at a minimum, whether a qualified school:

4 (I) Would reduce its ~~electricity~~ ENERGY costs by the
5 implementation of a ~~wind~~ AN ALTERNATIVE ENERGY for schools project;
6 ~~and~~

7 (II) Has a plan in place to incorporate the implementation of a
8 ~~wind~~ AN ALTERNATIVE ENERGY for schools project into its educational
9 curriculum; AND

10 (III) HAS DEMONSTRATED TO THE COLORADO ENERGY OFFICE
11 THAT IT IS MAKING AN EFFORT TO IMPROVE THE ENERGY EFFICIENCY OF ITS
12 BUILDINGS.

13 (c) A qualified school ~~shall~~ MAY not receive an aggregate amount
14 of grants pursuant to this article that exceeds ~~five~~ FIFTEEN thousand
15 dollars.

16 (3) ~~The Colorado energy office shall use at least fifty thousand~~
17 ~~dollars for the implementation of this grant program from the existing~~
18 ~~resources of the office. The minimum funding requirement for the~~
19 ~~implementation of this grant program may be met in one or more fiscal~~
20 ~~years. The office shall not submit a request for an appropriation or a~~
21 ~~supplemental appropriation for this purpose.~~

22 **SECTION 6.** In Colorado Revised Statutes, 24-38.5-102, **amend**

23 (1) (f) as follows:

24 **24-38.5-102. Colorado energy office - duties and powers.**

25 (1) The Colorado energy office shall:

26 (f) Implement and administer a ~~wind~~ AN ALTERNATIVE ENERGY for
27 schools project pursuant to article 89 of title 22, C.R.S.;

1 **SECTION 7. Applicability.** This act applies to grant applications
2 received by the Colorado energy office on or after the effective date of
3 this act.

4 **SECTION 8. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.