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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2834**

03/06/2014 Authored by Hortman

The bill was read for the first time and referred to the Committee on Energy Policy

1.1 A bill for an act
1.2 relating to energy; eliminating antiquated, unnecessary, redundant, or obsolete
1.3 laws; making conforming changes; amending Minnesota Statutes 2012, sections
1.4 216C.03; 256E.25, subdivision 5a; repealing Minnesota Statutes 2012, sections
1.5 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; 216C.44.

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

1.7 Section 1. Minnesota Statutes 2012, section 216C.03, is amended to read:

1.8 **216C.03 STATE GOVERNMENT ENERGY-SAVINGS PLAN.**

1.9 The commissioner of commerce, in coordination with the commissioners of the
1.10 agencies listed in section 15.01, the chancellor of the Minnesota State Colleges and
1.11 Universities, and the president of the University of Minnesota, shall identify policy options,
1.12 barriers, and economic benefits and costs for state government operations to achieve the
1.13 energy-savings goals in section 216B.2401 and the resulting carbon emissions reductions.
1.14 ~~The commissioner of commerce must issue a report to the legislature by February 1, 2008.~~

1.15 Sec. 2. Minnesota Statutes 2012, section 256E.25, subdivision 5a, is amended to read:

1.16 Subd. 5a. **Excluded programs.** Programs transferred to the Department of
1.17 Education from the Department of Employment and Economic Development may not be
1.18 included in the consolidated funding account and are ineligible for local consolidation.
1.19 The commissioner may not apply for federal waivers to include these programs in funding
1.20 consolidation initiatives. The programs include the following:

- 1.21 (1) programs for the homeless under sections 116L.365 and 256E.33;
- 1.22 (2) emergency energy assistance ~~and energy conservation programs~~ under sections
1.23 ~~216C.263~~ and section 216C.265;

- 2.1 (3) weatherization programs under section 216C.264;
- 2.2 (4) food shelf programs under section 256E.34 and the emergency food assistance
- 2.3 program; and
- 2.4 (5) lead abatement programs under section 256E.37.

2.5 Sec. 2. **REPEALER.**

2.6 Minnesota Statutes 2012, sections 216C.14; 216C.262; 216C.263; 216C.373;

2.7 216C.38; and 216C.44, are repealed.

216C.14 COMMUNITY ENERGY PLANNING; GRANTS.

Subdivision 1. **Purpose.** In order to improve the energy planning capabilities of local governments, the commissioner shall make grants to counties and cities, however organized. The commissioner when making grants shall give priority to those units of government that submit proposals that could result in significant savings of traditional energy sources, development of renewable energy systems, and broad community involvement. The commissioner shall give priority to local units of government that provide staff or other support for a program and who request grants for programs which can be duplicated by other local governments. The grants may be used to purchase materials, employ staff or contract with other units of government or qualified consultants.

The commissioner shall not make grants of more than 45 percent of the amount appropriated for those purposes to cities and counties located within the seven-county metropolitan area. A single grant to a city or county shall not exceed \$50,000.

Subd. 2. **Qualifying expenditures.** Community energy planning grants may be used for the following purposes:

- (1) to gather, monitor, and analyze local energy supply, demand, and cost information;
- (2) to prepare comprehensive community energy plans;
- (3) to implement comprehensive energy plans that the unit of government is authorized to undertake for the management of problems resulting from:
 - (i) rising energy cost;
 - (ii) lack of efficient public and private transportation;
 - (iii) lack of community conservation efforts;
 - (iv) lack of widespread renewable energy sources; and
 - (v) lack of energy components in comprehensive plans and local ordinances;
- (4) to assist neighborhood organizations in counties and cities to do energy planning by making grants to the local unit of government; and
- (5) any other purposes deemed appropriate by the commissioner.

Subd. 3. **Administration; rules.** The commissioner shall determine priorities pursuant to subdivisions 1 and 2, and shall promulgate rules for the submission and review of applications in accordance with the provisions of chapter 14.

216C.262 OPTIMAL LOW-INCOME WEATHERIZATION.

The commissioner shall contract with the Building Energy Research Center at the University of Minnesota for the purpose of determining optimal weatherization for low-income weatherization programs. The alternative energy engineering activity shall provide technical assistance.

216C.263 OIL OVERCHARGE MONEY FOR ENERGY CONSERVATION.

The oil overcharge money that is not otherwise appropriated by law or dedicated by court order is appropriated to the commissioner for energy conservation projects that directly serve low-income Minnesotans. This appropriation is available until spent.

216C.373 SUPERINSULATED HOME DEMONSTRATION PROJECT.

The superinsulated home demonstration project funded under Laws 1981, chapter 356, section 30, shall be continued under the direction of the commissioner and the center to monitor and document new projects and projects in progress. The project shall:

- (1) work with the financial community to bring energy cost and savings into mortgage underwriting standards;
- (2) develop a definition of superinsulation for use by financial institutions.

216C.38 BUILDING ENERGY RESEARCH CENTER.

Subdivision 1. **Energy partnership.** To improve the energy efficiency of buildings, the commissioner shall administer a Building Energy Research Center that shall be a cooperative effort among the commissioner, the University of Minnesota, technical colleges, and certain associations and businesses from the private sector. The center's goal is to become a nationally recognized center for building research.

Subd. 2. **Purpose.** The purpose of the Building Energy Research Center is to:

APPENDIX

Repealed Minnesota Statutes: 14-5244

- (1) conduct studies of Minnesota building experience;
- (2) disseminate information acquired relating to building energy efficiency;
- (3) conduct continuing education courses;
- (4) provide limited energy and design consultation services for innovative projects;
- (5) coordinate and stimulate research efforts; and
- (6) seek private sector pledges to match appropriations for this program.

216C.44 BUSINESS ENERGY USE ACCOUNTABILITY.

Subdivision 1. **Citation.** This section may be cited as the Business Energy Accountability Act of 2008.

Subd. 2. **Definition.** For the purpose of this section, "municipality" means a statutory or home rule charter city or town, or county for unincorporated areas of a county.

Subd. 3. **Energy accountability form.** The commissioner of commerce shall create an energy inventory form for use by a municipality for purposes of subdivision 4. The form must be designed so a business can enter information concerning the following energy uses for the business:

- (1) total gross electric use per year;
- (2) electric supplier;
- (3) total gross natural gas use per year;
- (4) natural gas supplier;
- (5) heating type;
- (6) air conditioning type and use per year;
- (7) business-owned motor vehicles;
- (8) miles traveled by business-owned motor vehicles;
- (9) chemicals used, including oils and cleaners;
- (10) water use per year; and
- (11) industrial sewage discharge.

The annual total gross use information required by clauses (1) and (3) must not require itemization by a business of each end use of electricity and natural gas.

The form must be designed, to the extent possible, so that its use by a municipality may qualify for grants.

Subd. 4. **Municipal inventory.** A municipality applying for grants or doing inventories covered under subdivision 3 must make the state form available to businesses located within the municipality the inventory form prescribed by subdivision 3. The business is not required to complete the inventory but may elect to do so and provide the completed inventory to the municipality.

Subd. 5. **Data practices.** Data provided by a business on the completed inventory for business energy use accountability is nonpublic as defined in section 13.02.