

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4943

(SENATE AUTHORS: FRENTZ)

DATE
03/13/2024

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Introduction and first reading
Referred to Energy, Utilities, Environment, and Climate

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to energy; making technical and housekeeping changes to various

1.3 provisions governing or administered by the Department of Commerce; amending

1.4 Minnesota Statutes 2022, section 216C.10; Minnesota Statutes 2023 Supplement,

1.5 sections 216C.08; 216C.09.

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

1.7 Section 1. Minnesota Statutes 2023 Supplement, section 216C.08, is amended to read:

1.8 **216C.08 JURISDICTION.**

1.9 (a) The commissioner has sole authority and responsibility for the administration of

1.10 sections 216C.05 to 216C.30 and 216C.375 to administer this chapter. Other laws

1.11 notwithstanding, the authority granted to the commissioner shall supersede under this section

1.12 supersedes the authority given any other agency whenever overlapping, duplication, or

1.13 additional administrative or legal procedures might occur in ~~the administration of sections~~

1.14 ~~216C.05 to 216C.30 and 216C.375~~ administering this chapter. The commissioner shall

1.15 consult with other state departments or agencies in matters related to energy and shall

1.16 contract with ~~them~~ the other state departments or agencies to provide appropriate services

1.17 to effectuate the purposes of ~~sections 216C.05 to 216C.30 and 216C.375~~ this chapter. Any

1.18 other department, agency, or official of this state or political subdivision thereof which

1.19 would in any way affect the administration or enforcement of ~~sections 216C.05 to 216C.30~~

1.20 ~~and 216C.375~~ this chapter shall cooperate and coordinate all activities with the commissioner

1.21 to assure orderly and efficient administration and enforcement of ~~sections 216C.05 to~~

1.22 ~~216C.30 and 216C.375~~ this chapter.

(b) The commissioner shall designate a liaison officer whose duty shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the commissioner and the other agencies that may be involved in energy.

Sec. 2. Minnesota Statutes 2023 Supplement, section 216C.09, is amended to read:

216C.09 COMMISSIONER DUTIES.

(a) The commissioner shall:

(1) manage the department as the central repository within the state government for the collection of data on energy;

(2) prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(3) undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(4) carry out energy ~~conservation~~ measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of ~~sections 216C.05 to 216C.30 and 216C.375~~ this chapter;

(5) collect and analyze data relating to present and future demands and resources for all sources of energy;

(6) evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of ~~sections 216C.05 to 216C.30 and 216C.375~~ this chapter, and make recommendations for changes in energy pricing policies and rate schedules;

(7) study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(8) design and implement a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential, and transportation areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(9) inform and educate the public about the sources and uses of energy and the ways in which persons can conserve energy;

(10) dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation, resource recovery, or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(11) charge other governmental departments and agencies involved in energy-related activities with specific information gathering goals and require that those goals be met;

(12) design a comprehensive program for the development of indigenous energy resources. The program shall include, but not be limited to, providing technical, informational, educational, and financial services and materials to persons, businesses, municipalities, and organizations involved in the development of solar, wind, hydropower, peat, fiber fuels, biomass, and other alternative energy resources. The program shall be evaluated by the alternative energy technical activity; and

(13) dispense loans, grants, or other financial aid from money received from litigation or settlement of alleged violations of federal petroleum-pricing regulations made available to the department for that purpose.

(b) Further, the commissioner may participate fully in hearings before the Public Utilities Commission on matters pertaining to rate design, cost allocation, efficient resource utilization, utility conservation investments, small power production, cogeneration, and other rate issues. The commissioner shall support the policies stated in section 216C.05 and shall prepare and defend testimony proposed to encourage energy conservation improvements as defined in section 216B.241.

Sec. 3. Minnesota Statutes 2022, section 216C.10, is amended to read:

216C.10 COMMISSIONER POWERS.

(a) The commissioner may:

(1) adopt rules under chapter 14 as necessary to carry out the purposes of ~~sections 216C.05 to 216C.30~~ this chapter;

(2) make all contracts under ~~sections 216C.05 to 216C.30~~ this chapter and do all things necessary to cooperate with the United States government, and to qualify for, accept, and disburse any grant intended for the administration of ~~sections 216C.05 to 216C.30~~ to administer this chapter;

(3) provide on-site technical assistance to units of local government in order to enhance local capabilities for dealing with energy problems;

4.1 (4) administer for the state, energy programs under federal law, regulations, or guidelines,
4.2 and coordinate the programs and activities with other state agencies, units of local
4.3 government, and educational institutions;

4.4 (5) develop a state energy investment plan with yearly energy conservation and alternative
4.5 energy development goals, investment targets, and marketing strategies;

4.6 (6) perform market analysis studies relating to conservation, alternative and renewable
4.7 energy resources, and energy recovery;

4.8 (7) assist with the preparation of proposals for innovative conservation, renewable,
4.9 alternative, or energy recovery projects;

4.10 (8) manage and disburse funds made available for the purpose of research studies or
4.11 demonstration projects related to energy conservation or other activities deemed appropriate
4.12 by the commissioner;

4.13 (9) intervene in certificate of need proceedings before the Public Utilities Commission;

4.14 (10) collect fees from recipients of loans, grants, or other financial aid from money
4.15 received from litigation or settlement of alleged violations of federal petroleum-pricing
4.16 regulations, which fees must be used to pay the department's costs in administering those
4.17 financial aids; and

4.18 (11) collect fees from proposers and operators of conservation and other energy-related
4.19 programs that are reviewed, evaluated, or approved by the department, other than proposers
4.20 that are political subdivisions or community or nonprofit organizations, to cover the
4.21 department's cost in making the reviewal, evaluation, or approval and in developing additional
4.22 programs for others to operate.

4.23 (b) Notwithstanding any other law, the commissioner is designated the state agent to
4.24 apply for, receive, and accept federal or other funds made available to the state for the
4.25 purposes of ~~sections 216C.05 to 216C.30~~ this chapter.