

SENATE  
STATE OF MINNESOTA  
EIGHTY-NINTH SESSION

S.F. No. 3191

(SENATE AUTHORS: BENSON, Brown and Osmek)

DATE	D-PG	OFFICIAL STATUS
03/24/2016	5255	Introduction and first reading Referred to Environment and Energy

1.1 A bill for an act  
1.2 relating to air pollution; requiring legislative approval of a state plan to comply  
1.3 with federal regulations regarding emissions from existing power plants;  
1.4 proposing coding for new law in Minnesota Statutes, chapter 216H; repealing  
1.5 Minnesota Statutes 2015 Supplement, section 216H.077.

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

1.7 Section 1. **[216H.0775] REQUIREMENT FOR LEGISLATIVE APPROVAL;**  
1.8 **CLEAN POWER PLAN.**

1.9 The commissioner of the Pollution Control Agency, and the commissioners,  
1.10 directors, or heads of any other state department, agency, or entity, are prohibited from  
1.11 studying, developing, establishing, or submitting a draft plan or a plan to the federal  
1.12 Environmental Protection Agency to comply with the proposed rule for the federal Clean  
1.13 Power Plan for Existing Power Plants, as published in the Federal Register on June 18,  
1.14 2014, Docket No. EPA-HQ-OAR-2013-0602, or any final rule issued in that docket or  
1.15 federal order pertaining thereto, unless the plan has been approved by state law.

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

1.17 Sec. 2. **REPEALER.**

1.18 Minnesota Statutes 2015 Supplement, section 216H.077, is repealed.

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

APPENDIX  
Repealed Minnesota Statutes: 16-5977

**216H.077 LEGISLATIVE REVIEW.**

By March 15, 2016, the commissioners of commerce and the Pollution Control Agency shall jointly submit to the senate and house committees with primary jurisdiction over energy and environmental policy for review and comment the draft plan the state is required to submit to the federal Environmental Protection Agency to comply with the proposed rule for the federal Clean Power Plan for Existing Power Plants, as published in the Federal Register on June 18, 2014, Docket No. EPA-HQ-OAR-2013-0602, or any final rule issued in that docket or federal order pertaining thereto.