

1.1 ..... moves to amend H.F. No. 2747 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 216C.08, is amended to read:

1.4 **216C.08 JURISDICTION.**

1.5 The commissioner has sole authority and responsibility for the administration of sections  
1.6 216C.05 to 216C.30 and 216C.375. Other laws notwithstanding, the authority granted the  
1.7 commissioner shall supersede the authority given any other agency whenever overlapping,  
1.8 duplication, or additional administrative or legal procedures might occur in the administration  
1.9 of sections 216C.05 to 216C.30 and 216C.375. The commissioner shall consult with other  
1.10 state departments or agencies in matters related to energy and shall contract with them to  
1.11 provide appropriate services to effectuate the purposes of sections 216C.05 to 216C.30 and  
1.12 216C.375. Any other department, agency, or official of this state or political subdivision  
1.13 thereof which would in any way affect the administration or enforcement of sections 216C.05  
1.14 to 216C.30 and 216C.375 shall cooperate and coordinate all activities with the commissioner  
1.15 to assure orderly and efficient administration and enforcement of sections 216C.05 to  
1.16 216C.30 and 216C.375.

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

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

1.21 Sec. 2. Minnesota Statutes 2022, section 216C.09, is amended to read:

1.22 **216C.09 COMMISSIONER DUTIES.**

1.23 (a) The commissioner shall:

- 2.1 (1) manage the department as the central repository within the state government for the  
2.2 collection of data on energy;
- 2.3 (2) prepare and adopt an emergency allocation plan specifying actions to be taken in the  
2.4 event of an impending serious shortage of energy, or a threat to public health, safety, or  
2.5 welfare;
- 2.6 (3) undertake a continuing assessment of trends in the consumption of all forms of energy  
2.7 and analyze the social, economic, and environmental consequences of these trends;
- 2.8 (4) carry out energy conservation measures as specified by the legislature and recommend  
2.9 to the governor and the legislature additional energy policies and conservation measures as  
2.10 required to meet the objectives of sections 216C.05 to 216C.30 and 216C.375;
- 2.11 (5) collect and analyze data relating to present and future demands and resources for all  
2.12 sources of energy;
- 2.13 (6) evaluate policies governing the establishment of rates and prices for energy as related  
2.14 to energy conservation, and other goals and policies of sections 216C.05 to 216C.30 and  
2.15 216C.375, and make recommendations for changes in energy pricing policies and rate  
2.16 schedules;
- 2.17 (7) study the impact and relationship of the state energy policies to international, national,  
2.18 and regional energy policies;
- 2.19 (8) design and implement a state program for the conservation of energy; this program  
2.20 shall include but not be limited to, general commercial, industrial, and residential, and  
2.21 transportation areas; such program shall also provide for the evaluation of energy systems  
2.22 as they relate to lighting, heating, refrigeration, air conditioning, building design and  
2.23 operation, and appliance manufacturing and operation;
- 2.24 (9) inform and educate the public about the sources and uses of energy and the ways in  
2.25 which persons can conserve energy;
- 2.26 (10) dispense funds made available for the purpose of research studies and projects of  
2.27 professional and civic orientation, which are related to either energy conservation, resource  
2.28 recovery, or the development of alternative energy technologies which conserve  
2.29 nonrenewable energy resources while creating minimum environmental impact;
- 2.30 (11) charge other governmental departments and agencies involved in energy-related  
2.31 activities with specific information gathering goals and require that those goals be met;

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

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

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

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

3.17 Sec. 3. Minnesota Statutes 2022, section 216C.375, is amended to read:

3.18 **216C.375 SOLAR FOR SCHOOLS PROGRAM.**

3.19 Subdivision 1. **Definitions.** (a) For the purposes of this section ~~and section 216C.376,~~  
 3.20 the following terms have the meanings given them.

3.21 (b) "Developer" means an entity that installs a solar energy system on a school building  
 3.22 that has been awarded a grant under this section.

3.23 (c) "Electricity expenses" means expenses associated with:

3.24 (1) purchasing electricity from a utility; or

3.25 (2) purchasing and installing a solar energy system, including financing and power  
 3.26 purchase agreement payments, operation and maintenance contract payments, and interest  
 3.27 charges.

3.28 ~~(e)~~ (d) "Photovoltaic device" has the meaning given in section 216C.06, subdivision 16.

3.29 ~~(d)~~ (e) "School" means:

3.30 (1) a school that operates as part of ~~an independent or special~~ a school district;

3.31 (2) a Tribal contract school; or

4.1 ~~(2)~~ (3) a state college or university that is under the jurisdiction of the Board of Trustees  
4.2 of the Minnesota State Colleges and Universities.

4.3 ~~(e)~~ (f) "School district" means:

4.4 (1) an independent ~~or~~ school district, as defined in section 120A.05, subdivision 10;

4.5 (2) a special school district, as defined in section 120A.05, subdivision 14; or

4.6 (3) a cooperative unit, as defined in section 123A.24, subdivision 2.

4.7 ~~(f)~~ (g) "Solar energy system" means photovoltaic or solar thermal devices.

4.8 ~~(g)~~ (h) "Solar thermal" has the meaning given to "qualifying solar thermal project" in  
4.9 section 216B.2411, subdivision 2, paragraph (d).

4.10 ~~(h)~~ (i) "State colleges and universities" has the meaning given in section 136F.01,  
4.11 subdivision 4.

4.12 Subd. 2. **Establishment; purpose.** A solar for schools program is established in the  
4.13 Department of Commerce. The purpose of the program is to provide grants to stimulate the  
4.14 installation of solar energy systems on or adjacent to school buildings by reducing the ~~cost~~  
4.15 school's electricity expenses, and to enable schools to use the solar energy system as a  
4.16 teaching tool that can be integrated into the school's curriculum.

4.17 Subd. 3. **Establishment of account.** A solar for schools program account is established  
4.18 in the special revenue fund. Money received from the general fund and from the renewable  
4.19 development account established under section 116C.779, subdivision 1, must be transferred  
4.20 to the commissioner of commerce and credited to the account. The account consists of  
4.21 money received from the general fund and the renewable development account, provided  
4.22 by law, donated, allocated, transferred, or otherwise provided to the account. Earnings,  
4.23 including interest, dividends, and any other earnings arising from the assets of the account  
4.24 must be credited to the account. Except as otherwise provided in this paragraph, money  
4.25 deposited in the account remains in the account until expended. Any money that remains  
4.26 in the account on June 30, ~~2027~~ 2034, cancels to the general fund.

4.27 Subd. 4. **Expenditures.** (a) Money in the account may be used only:

4.28 (1) for grant awards made under this section; and

4.29 (2) to pay the reasonable costs incurred by the department to administer this section.

4.30 (b) Grant awards made with funds ~~in the account~~ from the general fund must be used  
4.31 only for grants for solar energy systems installed on or adjacent to school buildings receiving  
4.32 retail electric service from a utility that is not subject to section 116C.779, subdivision 1.

5.1 (c) Grant awards made with funds from the renewable development account must be  
5.2 used only for grants for solar energy systems installed on or adjacent to school buildings  
5.3 receiving retail electric service from a utility that is subject to section 116C.779, subdivision  
5.4 1.

5.5 Subd. 5. **Eligible system.** (a) A grant may be awarded to a school under this section  
5.6 only if the solar energy system that is the subject of the grant:

5.7 (1) is installed on or adjacent to the school building that consumes the electricity generated  
5.8 by the solar energy system, on property within the service territory of the utility currently  
5.9 providing electric service to the school building;

5.10 (2) if installed on or adjacent to a school building receiving retail electric service from  
5.11 a utility that is not subject to section 116C.779, subdivision 1, has a capacity that does not  
5.12 exceed the lesser of 40 kilowatts alternating current or 120 percent of the estimated annual  
5.13 electricity consumption of the school building at which the solar energy system is installed;  
5.14 and

5.15 (3) if installed on or adjacent to a school building receiving retail electric service from  
5.16 a utility that is subject to section 116C.779, subdivision 1, has a capacity that does not  
5.17 exceed the lesser of 1,000 kilowatts alternating current or 120 percent of the estimated  
5.18 annual electricity consumption of the school building at which the solar energy system is  
5.19 installed;

5.20 (4) has real-time and cumulative display devices, located in a prominent location  
5.21 accessible to students and the public, that indicate the system's electrical performance.

5.22 (b) A school that receives a rebate or other financial incentive under section 216B.241  
5.23 for a solar energy system and that demonstrates considerable need for financial assistance,  
5.24 as determined by the commissioner, is eligible for a grant under this section for the same  
5.25 solar energy system.

5.26 Subd. 6. **Application process.** (a) The commissioner must issue a request for proposals  
5.27 to utilities, schools, and developers who may wish to apply for a grant under this section  
5.28 on behalf of a school.

5.29 (b) A utility or developer must submit an application to the commissioner on behalf of  
5.30 a school on a form prescribed by the commissioner. The form must include, at a minimum,  
5.31 the following information:

5.32 (1) the capacity of the proposed solar energy system and the amount of electricity that  
5.33 is expected to be generated;

6.1 (2) the current energy demand of the school building on which the solar energy generating  
6.2 system is to be installed and information regarding any distributed energy resource, including  
6.3 subscription to a community solar garden, that currently provides electricity to the school  
6.4 building;

6.5 (3) a description of any solar thermal devices proposed as part of the solar energy system;

6.6 (4) the total cost to purchase and install the solar energy system and the solar energy  
6.7 system's lifecycle cost, including removal and disposal at the end of the system's life;

6.8 (5) a copy of the proposed contract agreement between the school and the ~~public~~ utility  
6.9 to which the solar energy system will be interconnected or the developer that includes  
6.10 provisions addressing responsibility for maintenance of the solar energy system;

6.11 (6) the school's plan to make the solar energy system serve as a visible learning tool for  
6.12 students, teachers, and visitors to the school, including how the solar energy system may  
6.13 be integrated into the school's curriculum and provisions for real-time monitoring of the  
6.14 solar energy system performance for display in a prominent location within the school or  
6.15 on-demand in the classroom;

6.16 (7) information that demonstrates the school's level of need for financial assistance  
6.17 available under this section;

6.18 (8) information that demonstrates the school's readiness to implement the project,  
6.19 including but not limited to the availability of the site on which the solar energy system is  
6.20 to be installed and the level of the school's engagement with the utility providing electric  
6.21 service to the school building on which the solar energy system is to be installed on issues  
6.22 relevant to the implementation of the project, including metering and other issues;

6.23 (9) with respect to the installation and operation of the solar energy system, the  
6.24 willingness and ability of the developer or the public utility to:

6.25 (i) pay employees and contractors a prevailing wage rate, as defined in section 177.42,  
6.26 subdivision 6; and

6.27 (ii) adhere to the provisions of section 177.43;

6.28 (10) ~~how the developer or public utility plans to reduce the school's initial capital expense~~  
6.29 ~~to~~ projected reductions in electricity expenses resulting from the purchase and install  
6.30 installation of the solar energy system by providing financial assistance to the school; and

6.31 (11) any other information deemed relevant by the commissioner.

7.1 (c) The commissioner must administer an open application process under this section  
7.2 at least twice annually.

7.3 (d) The commissioner must develop administrative procedures governing the application  
7.4 and grant award process.

7.5 (e) The school, the developer, or the utility to which the solar energy generating system  
7.6 is interconnected must annually submit to the commissioner on a form prescribed by the  
7.7 commissioner a report containing the following information for each of the 12 previous  
7.8 months:

7.9 (1) the total number of kilowatt-hours of electricity consumed by the school;

7.10 (2) the total number of kilowatt-hours generated by the solar energy generating system;

7.11 (3) the amount paid by the school to its utility for electricity; and

7.12 (4) any other information requested by the commissioner.

7.13 Subd. 7. **Energy conservation review.** At the commissioner's request, a school awarded  
7.14 a grant under this section ~~shall~~ must provide the commissioner information regarding energy  
7.15 conservation measures implemented at the school building at which the solar energy system  
7.16 is installed. The commissioner may make recommendations to the school regarding  
7.17 cost-effective conservation measures it can implement and may provide technical assistance  
7.18 and direct the school to available financial assistance programs.

7.19 Subd. 8. **Technical assistance.** The commissioner must provide technical assistance to  
7.20 schools to develop and execute projects under this section.

7.21 Subd. 9. **Grant payments.** The commissioner must award a grant from the account  
7.22 established under subdivision 3 to a school for the necessary costs associated with the  
7.23 purchase and installation of a solar energy system. The amount of the grant must be based  
7.24 on the commissioner's assessment of the school's need for financial assistance.

7.25 Subd. 10. **Application deadline.** No application may be submitted under this section  
7.26 after December 31, ~~2025~~ 2032.

7.27 Subd. 11. **Reporting.** Beginning January 15, 2022, and each year thereafter until January  
7.28 15, ~~2028~~ 2035, the commissioner must report to the chairs and ranking minority members  
7.29 of the legislative committees with jurisdiction over energy regarding: (1) grants and amounts  
7.30 awarded to schools under this section during the previous year; ~~(2) financial assistance,~~  
7.31 ~~including amounts per award, provided to schools under section 216C.376 during the~~  
7.32 ~~previous year; and (3) any remaining balances available under this section and section~~

8.1 216C.376. (2) the amount of electricity generated by solar energy generating systems awarded  
8.2 a grant under this section; and (3) the impact on school electricity expenses.

8.3 Subd. 12. **Renewable energy credits.** Renewable energy credits associated with the  
8.4 electricity generated by a solar energy generating system installed under this section in the  
8.5 electric service area of a public utility subject to section 116C.779 are the property of the  
8.6 public utility for the life of the solar energy generating system.

8.7 **Sec. 4. TRANSFER OF UNENCUMBERED WITHHELD FUNDS.**

8.8 Any unencumbered funds withheld by the public utility subject to Minnesota Statutes,  
8.9 section 116C.779, subdivision 1, for the purpose of providing financial assistance to schools  
8.10 to purchase and install solar energy systems, as required under Minnesota Statutes 2022,  
8.11 section 216C.376, subdivision 5, paragraph (a), that are unexpended as of the effective date  
8.12 of this act must be transferred to the solar for schools program account established under  
8.13 Minnesota Statutes, section 216C.375, subdivision 3.

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

8.15 **Sec. 5. REPEALER.**

8.16 Minnesota Statutes 2022, section 216C.376, is repealed.

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

8.18 Amend the title accordingly