



May 9, 2022

Re: Support for city flexibility on adoption for new commercial construction energy code (SF 4517; Article 19, Section 5 of House Conference Position)

Dear Conference Committee Members,

As businesses working in Minnesota's energy efficiency sector, we write today about the bipartisan effort to allow cities to adopt the latest approved energy code for new construction of commercial buildings, prior to the state's adoption. Cities need tools to help meet their ambitious clean energy goals, and this legislation gives them a new one.

Energy codes for the United States are governed by ASHRAE 90.1, which is analyzed, reviewed and updated every three years to set the minimum efficiency of commercial buildings. Once reviewed by the U.S. Department of Energy, states have two years to adopt the new ASHRAE 90.1 by federal statute. Minnesota's Department of Labor and Industry (DLI), then brings stakeholders together to review, amend, and adopt the energy codes – a process that often takes 12-24 months.

By contrast, this legislation would allow cities to adopt the new ASHRAE 90.1 provision within three months after going into effect nationally. Minnesota's DLI would continue their standard process to adopt the most recent ASHRAE 90.1, which eventually becomes the unified statewide energy code.



Importantly, passing this legislation would enable Minnesota cities to compete for \$225 million in federal energy code funding available through the Infrastructure Investment and Jobs Act (IIJA.) They cannot qualify under current statutes. This would also help reduce energy waste, save money, and improve the resilience of our buildings.

Minnesota's clean energy businesses thrive on innovation and forward-thinking policy, and that is what we humbly ask for your help with by supporting this common-sense bill. This change will assist cities in meeting their clean energy goals while also allowing them to compete for millions in federal funding that does not require a match.

We ask that you support this change to give cities the flexibility to adopt the new ASHRAE 90.1 code once it goes into effect nationally. We are happy to discuss this issue in greater depth and explain how it would benefit the clean energy industry in Minnesota along with the more than 41,000 professionals who work in our state's energy efficiency sector.¹ Thank you for your work and for supporting our state's economy during this crucial moment.

Sincerely,

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¹ <https://www.cleanenergyeconomymn.org/clean-jobs-midwest>