

2020 Legislative Report



Minnesota Municipal Utilities Association

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On the cover:

House Minority Leader Kurt Daudt, right, confers with House Majority Leader Ryan Winkler during the first gathering of the House for the second special session of 2020. Looking on are Patrick Duffy Murphy, chief clerk of the House, and Speaker of the House Melissa Hortman (standing).

Courtesy of the Minnesota House of Representatives, media services. Photo by Paul Battaglia



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Section 1: 2020 Legislative Session(s) review

The 2020 regular session of the Minnesota State Legislature convened at noon on February 11, 2020. While each legislative session is different from past ones, at its beginning, nobody could have predicted just how different the 2020 session would become.

Even though the even-numbered year of a legislative biennium is commonly referred to as the “short-session” (because the members usually opt to start later than the mandated first Tuesday after the first Monday in January in odd-numbered years), no one would ever know by looking at the number of bills that get introduced to supplement the bills that carried over from the first year of the biennium. The House of Representatives saw 1,174 bills introduced in the regular session, and the Senate saw 1,708 new bills. In fact, the volume of bills being processed forced the House and Senate to push their deadlines back a week to give more time for hearing policy-based bills.

However, as the first deadline approached, the COVID-19 pandemic hit, and the Capitol literally shut down. The legislature, which was scheduled to take its annual spring break about two weeks later, was forced to stop processing bills virtually overnight, and with an uncertain future regarding how to wrap up unfinished legislative business, including a bonding bill that is usually the showcase piece of legislation in the even-numbered years.

When the legislature “returned” from their hiatus, a new world of legislating, and with it a new world of lobbying, was unveiled. Lobbyists and the general public were prohibited from accessing the Capitol complex, and legislators participated from multiple locations within the complex or from home. Due to the lost time for processing bills and the passing of deadlines while things were shut down, the number of bills that received hearings was greatly curtailed. Public participation in hearings was essentially ended for anyone who could not access the on-line streaming of proceedings and lobbying was limited to cell-phone access, “Zoom” discussions, and giving on-line testimony by invite only. This made it very difficult to move any bill that was in the least bit controversial or not deemed essential. A key example of this was the inability of the House to obtain the necessary three-fifths supermajority vote to pass a bonding bill. The House bonding bill came in at just over \$3 billion, higher than the Governor’s requested \$2.6 billion, and much more than the \$1.2 billion proposed by the Senate, but significantly less than the more than \$5 billion in requests. MMUA supported the inclusion of funding for water and wastewater projects and grant programs, and some utilities were trying to get their individual projects funded.

In addition to the normal challenges to passing a bond-

ing bill, even given the demonstrated needs and continued low interest rates, is the fact that COVID-19 played a major role in the state going from a February forecasted surplus of approximately \$1.5 billion, to a COVID-19 induced loss of nearly \$4 billion, resulting in a May projected shortfall of approximately \$2.5 billion by the end of the fiscal year. However, the State Constitution requires the budget be balanced by then. With a lot of tough choices to be made, more than a few legislators expressed concerns about increasing the State’s debt service, particularly when the ultimate economic impact of COVID-19 may not be known for some time. Of course, there are also many who see a bonding bill as a jobs bill due the construction projects it funds.

The pandemic had another interesting role in the perceived lack of urgency by some legislative leaders to pass a bonding bill or other bills in a rushed fashion. Governor Walz declared a peacetime emergency in mid-March in order to address COVID-19 related issues. By law, that declaration only lasted 5 days but was extended 30 days by the executive council, a group of all the state’s constitutional officers that has the statutory authority to extend the Governor’s emergency powers in 30-day increments. However, the governing statutes also provide that the legislature can rescind the order. In order to afford the legislature its right to rescind, the law provides that the legislature must be called into special session should a thirty-day extension be issued when the legislature is otherwise not in session. This meant that everyone knew the Governor would be forced to call a special session on or before June 12 if he wanted to keep emergency powers in place through the then expected peak in the pandemic. With a guaranteed special session looming, there was less pressure to rush through negotiations that would normally mark the end of a legislative session.

Another bill that was unfortunately left hanging when the session adjourned sine die on May 18 was MMUA’s top priority — CIP reform as reflected in the Energy Conservation and Optimization Act of 2020, (ECO). This bill was a carefully negotiated piece of legislation that took approximately three years of effort and was supported by approximately 40 different organizations ranging from MMUA and MREA on behalf of consumer-owned utilities (COUs) and Xcel, Minnesota Power, and Ottertail Power on behalf of the Investor-Owned Utilities (IOUs), as well as environmental and energy conservation groups, low-income consumer advocates, and other consumer advocacy associations. The bill was also supported by the Minnesota Department of Commerce, a fact testified to by Commissioner Steve Kelley. ECO would have repealed CIP’s minimum spending requirements, authorized flexible plans for up to 3 years, and would have allowed additional efforts to qualify for ECO credit, including beneficial electrification (aka fuel

switching) but only after meeting tight standards. ECO passed the House floor on a bipartisan basis, but progress ground to a halt in the Senate due to opposition from the Minnesota Chamber of Commerce and its influential member, Flint Hills Resources, primarily over the provisions of the bill authorizing fuel switching.

The dramatic impact of COVID-19 also meant the end of MMUA's efforts to gain an exemption for utilities from the state's salary cap. There was simply no interest in authorizing higher salaries for some while so many were facing unemployment and wage cuts. Likewise, it was not the right time to push for changes to pay-equity laws. MMUA remains committed to these issues and will try again when the time is right, hopefully in 2021.

One MMUA effort that did make its way to the Governor's desk and was signed into law was language clarifying that cities can hire minors at least 16 years of age to operate lawn mowing and related equipment provided they are trained on the safety protocols for operating the equipment and wear appropriate safety gear. MMUA's language was picked up by golf course operators, negotiated by Sen. Dan Hall's office and the Department of Labor and Industry, and amended onto a bill allowing minors to operate rides at Valley Fair and County Fairs. The lawn mowing section of the bill became effective on May 28, 2020.

June 12 saw the convening of the anticipated First Special Session. Unfortunately, due to the death of George Floyd while in police custody and continuing COVID-19 concerns, almost all focus shifted onto police reform demands and pandemic relief efforts. Senator Jason Rarick and Rep. Zach Stephenson fought hard to get ECO into the mix by pointing out that the bill could be a job producer and would likely help keep utility bills low, and Senator Dave Osmeck held an informational hearing on the bill to highlight amendments added to address the concerns from the propane industry, but the Chamber/Flint Hills opposition led Senate Majority Leader Paul Gazelka to issue a promise that ECO would not be on the agenda (although 2021 was arguably left open.) The First Special Session then ended after only a week's work due to a self-imposed deadline adopted by the Senate.

One bill originally thought essential for passage during the First Special Session that did not pass was a bill appropriating about \$850 million in federal funds to local governments for new or additional expenses they incurred due to COVID-19. Following the end of the First Special Session, Governor Walz, relying on his emergency powers and some provisions of the federal CARES Act, released the funds pursuant to a formula negotiated with the Association of Minnesota Counties, the League of Minnesota Cities, and the Minnesota Association of Townships during the regular session. While none of these funds flow directly to utilities, a U.S. Treasury Department advisory indicates that the funds could be used

to pay an electric customer's unpaid bill. A subsequent release of additional aid expressly provides that those funds can be used for any unpaid utility bills for qualifying individuals and families. MMUA has additional information for interested communities, but the main point is that the city council must find the expenditure qualified after being petitioned by a qualifying customer, and then the council could give the approved funds to the utility to pay the customer's bill.

A Second Special Session was called on July 12. As it did at the start of the First Special Session, the Senate voted to rescind the Governor's peacetime emergency declaration, and the House voted not to approve the Senate resolution, thus leaving the declaration in place through mid-August. Aside from this resolution, the only two issues addressed during the Second Special Session were police reform and bonding. A deal on a \$1.8 billion bonding bill was reached but failed to pass when House Republicans once again refused to put up the six needed votes to achieve a three-fifths supermajority in order to pass the bill out of protest to the Governor's declaration extension. A similar position had doomed the bonding bill during the First Special Session.

As for the policing reform bill, after weeks of conversations and hours of final negotiations, the legislature came together around a package of reform efforts, including a statewide ban on the use of chokeholds and similar use of restraint unless necessary to protect the life of an officer or other nearby person; a ban on "warrior" type of training; establishment of a duty to intervene if an officer witnesses a perceived excessive use of force; and the establishment of a new state unit to investigate excessive use of force allegations. Additional issues such as restoring a felon's right to vote and requiring the Attorney General to prosecute any charges brought after any fatal use of force are expected to return in 2021.

A third special session was gavelled in at noon, August 12, and most members were headed home only five hours later. While four DFL members (2 in both the House and Senate) had lost to their primary challengers the night before, those outcomes had no immediate impact on the special session. The Senate voted to repeal the emergency declaration, but the House did not, so it remains in place until at least September 11 when the most recent 30-day extension expires. With no change in the effort to repeal the declaration, the House did not bother to take up a bonding bill. There was also confirmation that a bonding bill in August posed a risk to the authority to issue previously authorized sales. Speaker of the House Melissa Hortman was hopeful that a bonding bill could pass in either the fourth special session in September or the fifth special session in October. Two additional special sessions in November and December would lead us to the 2021 regular session at which time the authority to extend the Governor's declaration would shift back to the Executive Counsel and not the legislature.

The third special session did yield one bill – a pre-vetted agreement containing clarifications to and additional uses of CARES act money in the Human Services program areas. The Senate then stunned virtually everyone by taking up the confirmation of the Commissioner of the Department of Labor and Industry. After a couple hours' debate, the Senate voted not to confirm, a move which terminates the commissioner and forces the governor to

find a new appointee. It would be an understatement to say the move caused strained relations to become even more bitter.

MMUA's government relations team will track each additional special session and be available to support, amend, or oppose actions as needed.

Section 2: 2020 Session Laws of Interest

The following is a summary of utility related session laws signed by the Governor.

Chapter 98 HF 3720 Tabke SF 3358* Ruud

Section 2 of this bill clarifies that minors at least 16 years of age and directly employed by a municipality, golf course, or resort, may operate lawn mowing and related maintenance equipment as defined in Minnesota Statutes Section 181A.116 as amended, which adopts by reference the American National Standards Institute / Outdoor Power Equipment Institutes' definition 71.1 2017. The minor must be trained on the safe operation of each piece of equipment to be used, including any safety rules or instruction in the operator's manual. The minor must wear applicable personal protective gear, and the employer must ensure the lawn mower and other equipment's safety equipment is in place and functional. Effective date: May 28, 2020.

Chapter 102* HF 3242 Neu SF 3020* Koran

Permits the city of North Branch to increase its Public Utilities Commission to five commissioners. No more than two members may also serve as city council members.

Effective date: Day after city complies with §645.021, passing and filing conforming resolution.

Chapter 105* HF 3230* Boe SF 3331 Osmek

Requires all utilities' CIP plans to include a program to promote LEDs. The requirement for all utilities' CIP plans to include a program to promote fluorescent and high intensity discharge lamps is repealed.

Amends §216B.241, subd. 5.

Effective date: May 28, 2020.

Chapter 118* HF 1842* Wagenius SF 2084 Osmek

To (1) increase the appropriation from Xcel's Renewable Development Account for its Solar Rewards program

from \$5 million to \$10 million for 2021 and appropriates \$10 million for 2022; (2) establish a community energy transition account funded at \$2 million for 2021 to provide grants not to exceed \$500,000 to assist eligible communities address the economic dislocation associated with the closing of a local electric generating plant. Grants may be used for, but are not limited to: researching, planning, and implementing activities designed to: 1) assist workers at the plant find new employment, including worker retraining and developing small business start-up skills; 2) increase the community's property tax base; and 3) develop alternative economic development strategies to attract new employers to the community (Note section 2 was drafted to help communities affected by the closing of the Benson Fibrominn poultry waste-to-energy plant); 3) establish the Prairie Island Net Zero Project with the goal of the Prairie Island Indian Community developing an energy system that results in net zero emissions. The Department of Commerce must contract with the Community to provide up to \$46.2 million over the next three years to stimulate research, development, and implementation of renewable energy projects benefiting the Community or its members; and (4) Appropriates \$2.75 million from Xcel's Renewable Development Account to the Department of Commerce for a grant to the City of Granite Falls to purchase a new turbine to expand the electric generating capacity of the city's existing hydroelectric generating facility with \$400,000 of the amount to repair structural damage and erosion caused by flooding to the building that houses the facility's turbines (See also, HF 3335 / SF 3115; HF 3539 / SF 3562; and HF 4588 / 4469) in the Regular Session subpart of Section 3 of this Report. Effective date: May 28, 2020.

Section 3 – 2020 Bills of Interest That Did Not Become Law

The following are three lists of bills of particular interest and/or concern to utilities. The first list is of such bills introduced during the Regular Session. The second list is of such bills introduced during the First Special Session. And finally, the third list is of such bills introduced during the Second Special Session.

Bills introduced in the first year of a legislative biennium carry forward to the second year (but not to special session). Once the legislature adjourns sine die, any bills still in the hopper must be reintroduced in the next legislative and/or in any special session called in between. Bills introduced in a special session do not carry forward to any other session whether regular or special.

Links to the session laws and bills summarized in this Report can be found at www.leg.state.mn.us. And of course members are welcome to contact the Government Relations team at MMUA.

A. Regular Session

HF 2836 Hornstein
SF 3143 Dibble

To establish a climate change advisory council, eliminate municipal solid waste incineration and landfill gas as qualifying sources under the RES, require utilities subject to the RES to provide only carbon-free electricity by 2030, add local workforce provisions to the RES, suspend new fossil fuel handling facility construction permits pending a state greenhouse gas reduction progress report, and enact other changes to the law as reflected in the federal “Green New Deal” type policy proposals.

HF 2966 Mekeland
SF 3230 Utke

To establish liability and vicarious liability for trespass to critical infrastructure and make it a crime to recruit or educate individuals to trespass on or damage critical infrastructure.

HF 2969 Garofalo
No Senate companion bill

To appropriate \$5 million from Xcel’s renewable development fund to supplement federal funds for Minnesotans under the Low-Income Home Energy Assistance Program (LIHEAP).

HF 3020 Miller
SF 3062 Lang

To appropriate \$2.75 million in state bond proceeds to repair and expand the generating capacity of the Granite Falls hydroelectric generating facility.

HF 3033 Mekeland
SF 3876 Osmeck

To prohibit political subdivisions from banning the use of natural gas in newly constructed buildings.

HF 3054 Stephenson
SF 3103 Hoffman

To require all electric utilities to provide customers semiannual reports on electric generation sources and associated air pollution emissions.

HF 3055 Lee
SF 3314 Dibble

To appropriate \$400,000 to assess climate change impacts on state-owned assets.

HF 3076 Freiberg
SF 3108 Marty

To reduce greenhouse gas emissions reductions from state government to 50% of 2005 levels by 2030.

HF 3083 Wazlawik
SF 3803 Eaton

To prevent homeowner associations from prohibiting rooftop solar installation by members.

HF 3101 Christensen
No Senate companion bill

To require all electric utilities to include their renewable energy program information with each customer bill.

HF 3149 Swedzinski
No Senate companion bill

To require rate impact analysis before passage of any legislation affecting the cost of energy.

HF 3150 Swedzinski
No Senate companion bill

To prohibit IOU cost recovery for solar panels made with child labor.

HF 3181 Claffin
SF 3139 Koran

To prohibit any disposable paper-type product (wipes) from being advertised, packaged or labeled as flushable, septic safe or sewer safe unless it either meets the test for flushability established by the Federal Trade Commission or complies with the most recent code of practice for product labeling of the association of the nonwoven fabrics industry, that has been approved by the Minnesota Pollution Control Agency. (See also, NHC / SF 4428 in the Regular Session subpart of Section 3 of this Report.)

HF 3209 Stephenson
No Senate companion bill

To require analysis of potential costs/benefits of seasonal operations of non-renewable, electric utility generators.

HF 3236 Lippert
SF 3123 Housley

To establish a nursing home energy efficiency grant program.

HF 3254 Stephenson
SF 3013 Weber

To allow PUC-regulated natural gas utilities to file alternative resource plans with the PUC to advance Minnesota's renewable energy and greenhouse gas reduction goals by selling renewable natural gas.

HF 3335 Swedzinski
SF 3115 Dahms

To appropriate money to repair and expand the generating capacity of the Granite Falls hydroelectric generating facility.

HF 3340 Edelson
SF 4015 Chamberlain

To authorize cities, local government agencies and colleges to use energy forward pricing mechanisms for budget risk reduction and add unleaded gasoline to the list of eligible energy sources.

HF 3368 Long
SF 3299 Osmek

To require Xcel to file a distributed solar generation tariff with the PUC.

HF 3378 Wazlawik
SF 3341 Chamberlain

To require water pollution enforcement actions to be accompanied by an MPCA public hearing in the local area to inform the public about the violation.

HF 3406 Stephenson
No Senate companion bill

To set conditions for state agencies to enter into guaranteed energy savings contracts for energy efficiency projects and to define those types of projects.

HF 3423 Sandell
SF 3401 Bigham

To direct money from the Clean Water Fund to the MPCA to develop water quality standards for perfluoroalkyl and polyfluoroalkyl substances (PFAS).

HF 3425 Wolgamott
No Senate companion bill

To inventory and assess the state's wastewater infrastructure for its vulnerability to impacts from climate change.

HF 3432 Freiberg
SF 3632 Frentz

To establish a revolving loan fund for energy conservation measures in state buildings.

HF 3436 Acomb
SF 4215 Cwodzinski

To acquire land for wellhead protection and ash tree disposal; require a carbon sequestration report, establish a revolving loan fund for energy conservation in schools, and establish grant programs for: residential energy conservation, energy efficiency in commercial buildings, energy efficiency in nursing homes, financial assistance to cities to address climate change, composting in multifamily buildings, solar energy systems for school districts, residential solar, innovative distributed energy projects, electric buses, electric vehicle rebates and conservation reserve enrollments.

HF 3438 Bierman
No Senate companion bill

To require all utilities to post electricity rate schedules on their websites and submit them to the PUC for posting on its website.

HF 3441 Kresha
No Senate companion bill

To require investor-owned natural gas utilities to respond to capacity inquiries from potential or existing customers within 72 hours.

HF 3470 Fischer
SF 3521 Chamberlain

To require the MPCA to provide information to county attorneys for possible prosecution of air permit violators.

HF 3472 Fischer
SF 3519 Chamberlain

To provide 1% of a civil or criminal financial fee to any person who provides information to the MPCA that is instrumental in revealing the violation of a facility permit or environmental statute, standard or rule.

HF 3528 Brand
SF 3413 Westrom

To appropriate \$1 million from an unspecified fund for activities, training, and grants to reduce chloride pollution.

HF 3539 Carlson, A.
SF 3562 Goggin

To establish and fund a net-zero emissions project for the Prairie Island Indian Community from Xcel's Renewable Development Account. (See also, HF 4588 / SF 4469 in this Regular Session subpart of Section 3 of this Report.)

HF 3569 Fabian
SF 3311 Ingebrigtsen

To clarify that agency interpretive statements may not be treated as if they are properly adopted rules, clarify that certain fee increases require legislative approval, grant 16-year regulatory certainty for industrial wastewater permittees, place restrictions on using trichloroethylene, double the frequency of Pollution Control

Agency tier-2 permitting efficiency reports, require analysis of Wisconsin's Green Tier Program, require the Pollution Control Agency to seek approval of the state's Clean Air Act implementation plan to prevent MPCA from applying a national or state ambient air quality standard at an existing facility with unmodified emissions levels. (Note, A ban on TCE was adopted in a separate legislation.)

HF 3590 Edelson
SF 3666 Franzen

To appropriate \$1 million from the general fund for the UofM to study the potential for carbon sequestration on public and private lands.

HF 3596 Acomb
No Senate companion bill

To establish a Solar for Schools program.

HF 3676 Koegel
SF 4039 Rarick

To establish a board to make recommendations to the Department of Labor and Industry regarding thermal insulation systems including licensing of installation and maintenance mechanics.

HF 3718 Lucero
SF 3198 Klein

To repeal the ban on new nuclear power plants in Minnesota.

HF 3781 Long
SF 3389 Senjem

To fund Xcel's Solar Rewards program from Xcel's Renewable Development Account through 2024

HF 3796 Hornstein
SF 4311 Marty

To eliminate RES eligibility for energy from landfill gas and mixed municipal solid waste.

HF 3893 Long
SF 3470 Dibble

To appropriate \$890,000 from the general fund and \$75,000 from the special revenue fund for grants to political subdivisions to install public electric vehicle charging equipment throughout the state.

HF 3894 Long
SF 4051 Dibble

To establish a rebate program for electric vehicle purchases.

HF 3931 Long
SF 3213 Rarick

To establish a type of community solar garden called a community access project, having greater than 50% residential subscribers and meeting other requirements.

HF 3938 Hausman
SF 425 Marty

To reestablish the previously repealed strategy planning process for an end to Minnesota's contributions to greenhouse gases from fossil fuels.

HF 3942 Lippert
SF 4432 Wiger

To appropriate funds for a multi-county pilot project to develop and implement a method for displaying geologic atlas data on an aquifer or watershed basis and construct a flow model to determine the State's water budget and water limits

HF 3943 Lippert
SF 4427 Wiger

To require a report on ways to ensure sustainability of groundwater and surface water.

HF 3955 Bierman
SF 3386 Dibble

To double the CIP low-income spending requirement for investor-owned gas utilities to .8% of sales and make pre-weatherization measures eligible.

HF 3967 Heintzeman
SF 4431 Wiger

To appropriate funds to develop a statewide plan to reduce chloride contamination in waters of the state, and for training to reduce chloride.

HF 3968 Heintzeman
SF 3957 Wiger

To give preference for water allocation permits to golf courses that implement best management practices.

HF 3971 Torkelson
SF 4430 Wiger

To reestablish the Advisory Council on Water Supply Systems and Wastewater Treatment Facilities. (See also, HF 4503 / SF3958 in this Regular Session subpart of Section 3 of this Report.)

HF 3982 Vang
No Senate companion bill

To establish a grant program in the MPCA to encourage cities to address climate change.

HF 4010 Jordan
No Senate companion bill

To allow the MPCA the option to use independent, scientifically reviewed risk assessment methods to promulgate health risk limits from non-carcinogenic systemic groundwater toxicants, instead of EPA methods.

HF 4039 Jordan
SF 3657 Senjem

To require all new state buildings to utilize renewable energy sources to meet Sustainable Building 2030 guidelines.

HF 4123 Christensen

SF 4149 Senjem

To establish a revolving loan fund for energy conservation in schools

HF 4125 Wazlawik

No Senate companion bill

To establish a residential energy conservation grant program.

HF 4162 Scott

No Senate companion bill

To remove the authority of the Commissioner of Administration to issue advisory opinions construing clause 5 of the municipal utility customer data privacy statute (Minn. Stat 13.685) which allows the release of data for the general welfare, health, or safety of the public.

HF 4175 Sandell

SF 4454 Bigham

To appropriate funds to the Pollution Control Agency to develop strategies for managing perfluoroalkyl and polyfluoroalkyl substances (PFAS) in land-applied biosolids.

HF 4197 Jordan

SF 4422 Simonson

To extend the Cold Weather Rule period 30 days to October 1 through April 30.

HF 4198 Sandell

No Senate companion bill

To establish a rebate program for up to 4% of the installed cost for residential solar systems that produce more than 120% of an owner's average annual amount of energy consumed.

HF 4239 Long

SF 4376 Dibble

To provide energy efficiency grants for commercial buildings.

HF 4294 Becker-Finn

SF 4421 Simonson

To require the Department of Commerce to assist any tribal advocacy council on energy established by the 11 federally recognized Indian tribes in Minnesota.

HF 4299 Lippert

SF 4282 Weber

To add eligibility for PACE loans for permanent improvements to farmland that result in improved productivity or resiliency and reduced environmental impact

HF 4311 Hansen

SF 4365 Dziejcz

To appropriate money from the Clean Water Fund.

HF 4365 Backer

SF 3907 Westrom

To appropriate money to the UofM's West Central Re-

search and Outreach Center for a project to develop and advance energy storage utilizing hydrogen and ammonia production from renewable energy resources.

HF 4381 Long

SF 4281 Marty

To determine utilities' avoided cost for renewable energy in the same way as non-renewable. (Requested by the Minnesota Solar Energy Industry Association.)

HF 4397 Brand

SF 4207 Rest

To tax emissions from coal, gas, petroleum liquids, municipal solid waste and landfill gas, including emissions from out-of-state generation of electricity used in Minnesota; to establish various tax credits and refunds to be paid as dividends from the carbon tax revenue and to authorize loans from the tax revenue for energy efficiency and renewable energy projects. (This bill is frequently referred to as the "Carbon Assessment and Dividend Act" or "CADA").

HF 4398 Brand

No Senate companion bill

To require the Board of Water and Soil Resources to establish a grant program for soil and water conservation districts, local governments, and landowners for protecting infrastructure and improving water quality.

HF 4432 Backer

SF 4406 Utke

To exempt from sales and use tax electricity used for: primary residential heating, industrial processing, production of periodical publications and television commercials and certain taxable services.

HF 4433 Wagenius

No Senate companion bill

To protect water sources containing less than one tritium unit, condition water permits on source sustainability for future generations and require public meetings prior to issuing appropriation permits for 216,000 gallons or more per day.

HF 4502 Stephenson

SF 4409 Rarick

To modernize the Conservation Improvement Program (CIP) by authorizing utilities' to develop plans of up to a three-year duration and to average their conservation goals over the duration of the plan; repealing the minimum spend mandate for utilities that average their conservation goal over any three-year period; and by allowing beneficial Electrification (fuel switching) measures to count toward their 1.5% CIP energy savings goals above the 1% floor for energy conservation improvements. (This bill is known as the "Energy Conservation and Optimization Act Of 2020: or "ECO". (See also, HF 61 / SF 105 in the First Special Session subpart of Section 3 of this Report).

HF 4503 Fischer
SF 3958 Wiger

To reestablish the Advisory Council on Water Supply Systems and Wastewater Treatment Facilities. (See also, HF 3971 /SF 4430 in this Regular Session subpart of Section 3 of this Report.

HF 4505 Fischer
SF 4007 Eken

To appropriate funds to the Board of Water and Soil Resources to assess water quality modeling, tools and estimators used to assess the outcomes of best management practices.

HF 4513 O'Neill
No Senate companion bill

To allow public drainage authorities to conduct repairs without permission from the Department of Natural Resources.

HF 4539 Hornstein
No Senate companion bill

To make appropriations and policy for Transportation and related Departments and programs. Authorizes limited use of vacuum excavation for locating purposes. Requires reports to the Office of Pipeline Safety (MN-OPS) from the Gopher State One-Call (GSOC) regarding positive response data collected from all locates. Requires damage reports from all persons, not just excavators. Changes penalties in excavation sections of Minnesota Statutes to match federal penalties. (Note - MMUA joined forces with several allies to oppose this legislation. This "steering group" lobbied against this bill and met with the Governor's staff to outline the basis for the opposition. A commitment was made to continue discussions amongst all stakeholder on both sides of the bill. Those conversations were just getting underway at the time this Report went to press.)

HF 4541 Hausman
No Senate companion bill

To suspend foreclosures and evictions. Appropriates grant money for rent, mortgage, and utility payments.

HF 4554 Hansen
SF 4499 Ingebrigtsen

To make appropriation for Environment and Natural Resources and reestablish the Advisory Council on Water Supply Systems and Wastewater Treatment Facilities. (See also, HF 3971 / SF 4430 and HF 4503/SF 3958 in this Regular Session subpart of Section 3 of this Report.)

HF 4584 Franson
SF 4493 Chamberlin

To exempt property tax refunds from attachment, garnishment, or sale.

HF 4588 Swedzinski
SF 4469 Osmeck

To establish and fund a net-zero emissions project for

the Prairie Island Indian Community from Xcel's Renewable Development Account; to extend for one year and appropriate RDA funds for Xcel's Solar Rewards program; and to establish a bill relief credit for Xcel customers and appropriate RDA money to fund it. (See also, HF3539 / SF3562 and HF3781 / SF3389 in this Regular Session subpart of Section 3, and Chapter 118 of the 2020 Session Laws in Section 2 of this Report.)

HF 4592 Hertaus
SF 4519 Osmeck

To require legislative approval to extend the duration of a peacetime emergency declared by the Governor and limit the duration of extensions.

HF 4598 Hornstein
SF 4534 Dibble

To allow local governments to determine their own fees for small wireless facilities and make other related changes favorable to local governments.

HF 4628 Runbeck
No Senate companion bill

To allow public employees to be furloughed one week per month through the end of 2020.

HF 4658 Tabke
No Senate companion bill

To allow the Shakopee City Council to abolish the Shakopee Public Utilities Commission and assume control of the city utilities or transfer certain functions of the commission to the city council.

HF 4659 Sundin
SF 4614 Goggin

To authorize payment of \$250 to each essential worker in the state.

HF 4664 Scott
SF 4606 Limmer

To limit legal liability for a person who designs, manufactures, labels, sells, distributes or donates PPE, medical devices, medications or COVID-19 tests used by a government entity, health care personnel or essential business; to limit the right to file a lawsuit by or against certain persons that claims injury, damage, death or economic loss related to COVID-19.

HF 4673 Marquart
No Senate companion bill

To authorize and calculate payments from the coronavirus relief fund to cities, towns, and counties for COVID-19 related expenses. (See also, HF 4683/SF 4564 in this Regular Session subpart of Section 3 of this Report, as well as the overview of the Governor's actions found in Section 1 of this Report.)

HF 4676 Wagenius
SF 4630 Marty

To authorize renewal of the District Energy cogeneration

plant PPA in downtown St. Paul to include acceptance of ash tree material from all ash borer affected counties and require development of a plan to electrify the plant with renewable resources. (See also, SF19 / NHC in the First Special Session subpart of Section 3 of this Report, and HF 29 / SF 53 in the Second Special Session subpart of Section 3 of this Report.)

HF 4683 Garofalo
SF 4564 Rosen

To authorize and calculate payments from the coronavirus relief fund to cities, towns, and counties for COVID-19 related expenses. (See also, HF 4673 / NSC in this Regular Session subpart, of Section 3, and the overview of the Governor's actions as outlined in Section 1, of this Report.)

HF 4685 Sauke
SF 4622 Senjem

To establish the coronavirus relief fund to hold funds appropriated by the federal government to Minnesota.

No House companion bill
SF 3761 Koran

To require the Clean Water Council to report the number of Full-Time Equivalent (FTE) positions supported with Clean Water Fund money in each program area.

No House companion bill
SF 4175 Senjem

To appropriate \$5 million for installing solar energy systems on state-owned buildings and adjacent lands.

No House companion bill
SF 4335 Rosen

To allow municipal gas agencies to enter contracts for prepaid electricity.

No House companion bill
SF 4428 Wiger

To prohibit any disposable paper-type product (wipes) from being advertised, packaged or labeled as flushable, septic safe or sewer safe unless it either meets the test for flushability established by the Federal Trade Commission or complies with the most recent code of practice for product labeling of the association of the nonwoven fabrics industry, that has been approved by the Minnesota Pollution Control Agency. (See also, HF 3181 / SF 3139 in this Regular Session subpart of Section 3 of this Report.)

No House companion bill
SF 4495 Westrom

To suspend foreclosures and evictions and appropriate money for grants to Minnesotans to make past-due rent, mortgage, and utility payments.

B. First Special Session

HF 28 Hansen
No Senate companion bill

To make appropriations for Environment and Natural Resources; to reestablish the Advisory Council on Water Supply Systems and Wastewater Treatment Facilities; to prohibit any disposable paper-type product (wipes) from being advertised, packaged or labeled as flushable, septic safe or sewer safe unless it either meets the test for flushability established by the Federal Trade Commission or complies with the most recent code of practice for product labeling of the association of the nonwoven fabrics industry, that has been approved by the Minnesota Pollution Control Agency. (See also, HF 3181 / SF 3139 in the Regular Session subpart of Section 3 of this Report.)

HF 61 Stephenson
SF 105 Rarick

To modernize Conservation Improvement Program. (This is the reintroduction of HF 4502 / SF 4409 summarized above in the Regular Session subpart of Section 3, and in the overview of this issue in Section 1 of this Report.)

HF 125 Baker
SF 35 Lang

To establish a claims process paid from Xcel's Renewable Development Account for businesses affected by loss of business due to the closure of the Benson, MN Fibrominn poultry waste-to-energy plant.

HF 126 Baker
SF 38 Lang

To appropriate \$5 million from Xcel's Renewable Development Account to convert the Benson Fibrominn poultry waste-to-energy plant into a fertilizer production plant.

HF 128 Marquart
SF 47 Rosen

To authorize and calculate payments from the coronavirus relief fund to cities, towns, and counties for COVID-19 related expenses. (See also, HF 4673 / SF 4564 in the Regular Session subpart of Section 3, and the overview of the Governor's action as summarized in Section 1, of this Report.)

HF 149 Lislegard
SF 124 Osmek

To appropriate \$5.2 million from Xcel's Renewable Development Account to develop and advance energy storage systems that utilize hydrogen and ammonia production from renewables and other sources of clean energy; to appropriate \$3.8 million from Xcel's Renewable Development Account to expand the City of Mountain Iron's solar module manufacturing plant. (See also, HF 4365 / SF3907 in the Regular Session subpart of Section 3, as well as Hf 25 / NSF and HF67 / SF48 in the Second Special Session subpart of Section 3, of this Report.)

HF 160 Hausman

No Senate companion bill

To suspend foreclosures and evictions and appropriate money for grants to make rent, mortgage, and utility payments.

HF 163 Scott

No Senate companion bill

To limit legal liability for a person who designs, manufactures, labels, sells, distributes or donates PPE, medical devices, medications or COVID-19 tests used by a government entity, health care personnel or essential business; to limit the right to file a lawsuit by or against certain persons that claims injury, damage, death or economic loss related to COVID-19.

No House companion bill

SF 19 Marty

To authorize renewal of the District Energy cogeneration plant PPA in downtown St. Paul to include acceptance of ash tree material from all ash borer affected counties and require development of a plan to electrify the plant with renewable resources. (See also, HF 4626 / SF 4630 in the Regular Session subpart of Section 3, and HF 29 / SF 53 in the Second Special Session subpart of section 3 of this Report.)

No House Senate companion bill

SF 21 Matthews

To require the Commerce Department to grant co-ops and municipals a CIP energy savings goal modification upon request; to allow energy savings from infrastructure improvements by co-ops and municipals to count without meeting 1.0% minimum savings from energy conservation measures

No House companion bill

SF 22 Kiffmeyer

To require the Commerce Department to grant co-ops and municipals a CIP energy savings goal modification upon request, unless a lack of good faith effort by the utility to meet the goal can be demonstrated; to allow energy savings from infrastructure improvements by co-ops and municipals to count without meeting 1.0% minimum savings from energy conservation measures.

No House companion bill

SF 34 Senjem

To require electric utilities in their Integrated Resource Plan filings to include analyses of potential for utilization of energy storage and energy efficiency and load management; to maximize utilization of local workers for electric generating facilities construction; to establish state transmission planning to account for retiring generation facilities and to create an IRP group to biennially share best practices, promote coordination across resource plans and determine what other resource planning topics to discuss; to end the state ban on new nuclear generation. Commonly referred to as the Clean Energy First bill.

C. Second Special Session

HF 3 Murphy

SF 43 Senjem

To authorize the issuance of State general obligation bonds, trunk highway bonds, and appropriation bonds for infrastructure construction, reconstruction, and repair of capital projects around the State.

HF 25 Sundin

No Senate companion bill

To address advanced biofuel, renewable chemical, and biomass thermal incentive programs and appropriate money for bioincentive programs, an ammonia production pilot demonstration project, and a grant to the Mountain Iron Economic Development Authority to expand a city-owned building housing a solar panel manufacturer.

HF 29 Wagenius

SF 53 Marty

To authorize a renewal of the District Energy cogeneration plant's Power Purchase Agreement (PPA in downtown St. Paul, to include acceptance of ash tree material from all ash borer affected counties, and requires development of a plan to electrify the plant with renewable resources. (See also, HF 4676 / SF 4630 in the Regular Session subpart of Section 3, of this Report.)

HF 66 Munson

No Senate companion bill

To authorize state bonds for water and lighting infrastructure in Madison Lake; authorizing the sale and issuance of state bonds.

HF 67 Lislegard

SF 48 Tomassoni

To appropriate money for an ammonia production pilot demonstration project, and a grant to Mountain Iron Economic Development Authority to expand a city-owned building housing a solar panel manufacturer. (See also, HF 4365 / SF 3907 in the Regular Session subpart of section 3, and HF 149 / SF 124 in the First Special Session subpart of Section 3 of this Report.)

HF 95 Persell

No Senate companion bill

To establish and fund a program to provide financial incentives for the production of wood pellets burned to produce heat or electricity that are produced in Minnesota facilities that dry and process residue material from forests or sawmill.