

Sec. 4. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment. Section 3 is effective July 1, 1997.

Presented to the governor May 17, 1997

Signed by the governor May 19, 1997, 7:11 p.m.

CHAPTER 176—S.F.No. 1328

An act relating to renewable energy; providing for action by the public utilities commission on purchases of wind and biomass power; exempting certain plants from certificate of need proceedings; requiring a study; amending Minnesota Statutes 1996, section 216B.2422, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Section 1. [216B.1645] POWER PURCHASE CONTRACTS OR INVESTMENTS.

Upon the petition of a public utility, the public utilities commission shall approve or disapprove power purchase contracts or investments entered into or made by the utility to satisfy the wind and biomass mandates contained in sections 216B.2423 and 216B.2424. The expenses incurred in accordance with the contract and the reasonable investments made by a public utility with the approval of the commission shall be included by the commission in its determination of just and reasonable rates. Upon petition by a public utility, the commission shall approve or approve as modified a rate schedule providing for the automatic adjustment of charges to recover the expenses or costs approved by the commission.

Sec. 2. Minnesota Statutes 1996, section 216B.2422, subdivision 5, is amended to read:

Subd. 5. BIDDING; EXEMPTION FROM CERTIFICATE OF NEED PROCEEDING. (a) A utility may select resources to meet its projected energy demand through a bidding process approved or established by the commission. A utility shall use the environmental cost estimates determined under subdivision 3 in evaluating bids submitted in a process established under this subdivision.

(b) A certificate of need proceeding is not required for an electric power generating plant that has been selected in a bidding process approved or established by the commission, or such other selection process approved by the commission, to satisfy, in whole or in part, the wind power mandate of section 216B.2423 or the biomass mandate of section 216B.2424.

Sec. 3. EVALUATION OF BIOMASS FACILITIES.

The commissioner of agriculture shall evaluate alternative financing mechanisms by which the cost of financing biomass energy projects can be reduced to improve the

New language is indicated by underline, deletions by ~~strikeout~~.

financial viability of such projects and produce savings for electric energy consumers in the state.

The analysis must include the extent to which financial participation of public and private institutions can achieve interest savings for the incremental development of biomass energy projects. Financing options to be reviewed must include:

- (1) use of the bonding capacity of existing public financing authorities;
- (2) private financing options for biomass energy facilities;
- (3) establishment of a new development authority to facilitate public financial participation in biomass energy projects;
- (4) issuance of tax exempt or taxable state general obligation bonds to produce interest savings for development of biomass energy facilities; and
- (5) production credit payments for biomass energy production.

In conducting this analysis, the commissioner shall work with the commissioners of finance, public service, and trade and economic development and with stakeholders involved in farm-grown, closed-loop biomass energy projects. The analysis with recommendations must be submitted to the legislature by January 15, 1998.

Presented to the governor May 17, 1997

Signed by the governor May 19, 1997, 7:12 p.m.

CHAPTER 177—S.F.No. 122

An act relating to human services; requiring notification of placement or adoption of a child to the other birth parent; requiring background checks for adoption; requiring affidavits for an emergency order requiring updates to adoption study; defining content of postplacement assessment and report; permitting court-ordered grandparent visitation with an adopted child; recognition of adoption which occurred in a foreign country; defining when adoption records shall become public records; amending Minnesota Statutes 1996, sections 245A.04, subdivision 10; 257.022, subdivision 2, and by adding a subdivision; 259.20, subdivision 2; 259.22, subdivisions 2 and 4; 259.24, subdivision 2a; 259.41; 259.47, subdivisions 3, 6, 7, 8, and 10; 259.53, subdivisions 1 and 2; 259.55, subdivision 1; 259.59, subdivision 1; 259.61; 259.67, subdivision 7; 259.79, subdivision 3; and 259.83, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 259; repealing Minnesota Statutes 1996, section 259.47, subdivision 9.

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

Section 1. Minnesota Statutes 1996, section 245A.04, subdivision 10, is amended to read:

Subd. 10. **ADOPTION AGENCY; ADDITIONAL REQUIREMENTS.** In addition to the other requirements of this section, an individual, corporation, partnership, voluntary association, other organization, or controlling individual applying for a license to place children for adoption must:

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