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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1866

02/25/2014 Authored by Morgan and Isaacson

The bill was read for the first time and referred to the Committee on Energy Policy

03/04/2014 Adoption of Report: Re-referred to the Committee on Commerce and Consumer Protection Finance and Policy

03/13/2014 Adoption of Report: Amended and re-referred to the Committee on Jobs and Economic Development Finance and Policy

03/19/2014 Adoption of Report: Amended and re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to state government; modifying laws governing certain Department
1.3 of Commerce advisory groups; amending Minnesota Statutes 2012, sections
1.4 216B.813, subdivision 2; 216B.815; 216C.02, subdivision 1; repealing Minnesota
1.5 Statutes 2012, sections 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6,
1.6 7; 82B.06; 116L.361, subdivision 2; 116L.363; 298.2213, subdivision 5.

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

1.8 Section 1. Minnesota Statutes 2012, section 216B.813, subdivision 2, is amended to
1.9 read:

1.10 Subd. 2. **Grants.** (a) The commissioner of commerce shall operate a competitive
1.11 grant program for projects to assist the state in attaining its renewable hydrogen energy
1.12 goals. ~~The commissioner of commerce shall assemble an advisory committee made up of~~
1.13 ~~industry, university, government, and nongovernment organizations to:~~

1.14 ~~(1) help identify the most promising technology deployment projects for public~~
1.15 ~~investment;~~

1.16 ~~(2) advise on the technical specifications for those projects; and~~

1.17 ~~(3) make recommendations on project grants.~~

1.18 (b) The commissioner shall give preference to project concepts included in the
1.19 department's most recent biennial report: Strategic Demonstration Projects to Accelerate
1.20 the Commercialization of Renewable Hydrogen and Related Technologies in Minnesota.
1.21 Projects eligible for funding must combine one or more of the hydrogen production
1.22 options listed in the department's report with an end use that has significant commercial
1.23 potential, preferably high visibility, and relies on fuel cells or related technologies. Each
1.24 funded technology deployment must include an explicit education and awareness-raising
1.25 component, be compatible with the renewable hydrogen deployment criteria defined in

2.1 section 216B.812, and receive 50 percent of its total cost from nonstate sources. The 50
2.2 percent requirement does not apply for recipients that are public institutions.

2.3 Sec. 2. Minnesota Statutes 2012, section 216B.815, is amended to read:

2.4 **216B.815 REGIONAL ENERGY RESEARCH AND EDUCATION**
2.5 **PARTNERSHIP.**

2.6 (a) The state's public research and higher education institutions should work with
2.7 one another and with similar institutions in the region to establish Minnesota and the
2.8 Upper Midwest as a center of research, education, outreach, and technology transfer for
2.9 the production of renewable energy and products, including hydrogen, fuel cells, and
2.10 related technologies. The partnership should be designed to create a critical mass of
2.11 research and education capability that can compete effectively for federal and private
2.12 investment in these areas.

2.13 ~~(b) The partnership must include an advisory committee comprised of government,~~
2.14 ~~industry, academic, and nonprofit representatives to help focus its research and education~~
2.15 ~~efforts on the most critical issues.~~

2.16 (e) Initiatives undertaken by the partnership may include:

2.17 (1) collaborative and interdisciplinary research, demonstration projects, and
2.18 commercialization of market-ready technologies;

2.19 (2) creation of undergraduate and graduate course offerings and eventually degreed
2.20 and vocational programs with reciprocity;

2.21 (3) establishment of fellows programs at the region's institutes of higher learning
2.22 that provide financial incentives for relevant study, research, and exchange; and

2.23 (4) development and field-testing of relevant curricula, teacher kits for all educational
2.24 levels, and widespread teacher training, in collaboration with state energy offices, teachers,
2.25 nonprofits, businesses, the United States Department of Energy, and other interested parties.

2.26 Sec. 3. Minnesota Statutes 2012, section 216C.02, subdivision 1, is amended to read:

2.27 Subdivision 1. **Powers.** (a) The commissioner may:

2.28 (1) apply for, receive, and spend money received from federal, municipal, county,
2.29 regional, and other government agencies and private sources;

2.30 (2) apply for, accept, and disburse grants and other aids from public and private
2.31 sources;

2.32 (3) contract for professional services if work or services required or authorized to
2.33 be carried out by the commissioner cannot be satisfactorily performed by employees of
2.34 the department or by another state agency;

3.1 (4) enter into interstate compacts to carry out research and planning jointly with
3.2 other states or the federal government when appropriate;

3.3 (5) upon reasonable request, distribute informational material at no cost to the
3.4 public; and

3.5 (6) enter into contracts for the performance of the commissioner's duties with
3.6 federal, state, regional, metropolitan, local, and other agencies or units of government and
3.7 educational institutions, including the University of Minnesota, without regard to the
3.8 competitive bidding requirements of chapters 16A and 16C.

3.9 (b) The commissioner shall collect information on conservation and other
3.10 energy-related programs carried on by other agencies, by public utilities, by cooperative
3.11 electric associations, by municipal power agencies, by other fuel suppliers, by political
3.12 subdivisions, and by private organizations. Other agencies, cooperative electric
3.13 associations, municipal power agencies, and political subdivisions shall cooperate
3.14 with the commissioner by providing information requested by the commissioner. The
3.15 commissioner may by rule require the submission of information by other program
3.16 operators. The commissioner shall make the information available to other agencies and
3.17 to the public and, as necessary, shall recommend to the legislature changes in the laws
3.18 governing conservation and other energy-related programs to ensure that:

3.19 (1) expenditures on the programs are adequate to meet identified needs;

3.20 (2) the needs of low-income energy users are being adequately addressed;

3.21 (3) duplication of effort is avoided or eliminated;

3.22 (4) a program that is ineffective is improved or eliminated; and

3.23 (5) voluntary efforts are encouraged through incentives for their operators.

3.24 ~~The commissioner shall appoint an advisory task force to help evaluate the information~~
3.25 ~~collected and formulate recommendations to the legislature. The task force must include~~
3.26 ~~low-income energy users.~~

3.27 (c) By January 15 of each year, the commissioner shall report to the legislature on
3.28 the projected amount of federal money likely to be available to the state during the next
3.29 fiscal year, including grant money and money received by the state as a result of litigation
3.30 or settlements of alleged violations of federal petroleum-pricing regulations. The report
3.31 must also estimate the amount of money projected as needed during the next fiscal year
3.32 to finance a level of conservation and other energy-related programs adequate to meet
3.33 projected needs, particularly the needs of low-income persons and households, and must
3.34 recommend the amount of state appropriations needed to cover the difference between the
3.35 projected availability of federal money and the projected needs.

4.1 Sec. 4. **CLARIFICATION OF CONTINUED EXISTENCE.**

4.2 This section clarifies that the Automobile Theft Prevention Advisory Board created
4.3 in Minnesota Statutes, section 65B.84, subdivision 4, did not expire June 30, 2009.
4.4 Actions taken by that group and public funds spent on behalf of the group are valid.

4.5 **EFFECTIVE DATE.** This section is effective the day following final enactment
4.6 and applies retroactively from June 30, 2009.

4.7 Sec. 5. **REPEALER.**

4.8 Minnesota Statutes 2012, sections 82B.021, subdivision 10; 82B.05, subdivisions 1,
4.9 3, 5, 6, and 7; 82B.06; 116L.361, subdivision 2; 116L.363; and 298.2213, subdivision
4.10 5, are repealed.

82B.021 DEFINITIONS.

Subd. 10. **Board.** "Board" means the Real Estate Appraisal Advisory Board established under section 82B.05.

82B.05 REAL ESTATE APPRAISER ADVISORY BOARD.

Subdivision 1. **Members.** The Real Estate Appraiser Advisory Board consists of nine members appointed by the commissioner of commerce. Three of the members must be consumers of appraisal services, of whom one member must be employed in the financial lending industry, and six must be real estate appraisers who are currently licensed in good standing, of whom three members must be certified residential real property appraisers and three members must be certified general real property appraisers. At least one member of the board must be certified by the Appraisal Qualification Board of the Appraisal Foundation to teach the Uniform Standards of Professional Appraisal Practice. Each of the three categories of members must include at least one member who lives or works outside of the seven-county metropolitan area. The board is governed by section 15.0575.

Subd. 3. **Terms.** The term of office for members is three years.

Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person may serve as a member of the board for more than two consecutive terms. The commissioner may remove a member for cause.

Subd. 5. **Conduct of meetings.** Places of regular board meetings must be decided by the vote of members. Written notice must be given to each member of the time and place of each meeting of the board at least ten days before the scheduled date of regular board meetings. The board shall establish procedures for emergency board meetings and other operational procedures, subject to the approval of the commissioner.

The members of the board shall elect a chair to preside at board meetings, a vice-chair, and a secretary from among the members.

A quorum of the board is five members.

The board shall meet at least once every three months as determined by a majority vote of the members or a call of the commissioner.

Subd. 6. **Compensation.** Each member of the board is entitled to a per diem allowance of \$35 for each meeting of the board at which the member is present and for each day or substantial part of a day actually spent in the conduct of the business of the board, plus all appropriate expenses unless a greater amount is authorized by section 15.0575.

Subd. 7. **Enforcement data.** The commissioner shall, on a regular basis, provide the board with the commissioner's public enforcement data.

82B.06 POWERS OF THE BOARD.

The board shall make recommendations to the commissioner as the commissioner requests or at the board's own initiative on:

(1) rules with respect to each category of licensed real estate appraiser, the type of educational experience, appraisal experience, and equivalent experience that will meet the requirements of this chapter;

(2) examination specifications for each category of licensed real estate appraiser, to assist in providing or obtaining appropriate examination questions and answers, and procedures for grading examinations;

(3) rules with respect to each category of licensed real estate appraiser, the continuing education requirements for the renewal of licensing that will meet the requirements provided in this chapter;

(4) periodic review of the standards for the development and communication of real estate appraisals provided in this chapter and rules explaining and interpreting the standards; and

(5) other matters necessary in carrying out the provisions of this chapter.

116L.361 DEFINITIONS.

Subd. 2. **Advisory committee.** "Advisory committee" means the committee established in section 116L.363.

116L.363 ADVISORY COMMITTEE.

APPENDIX

Repealed Minnesota Statutes: H1866-2

A 12-member advisory committee is established as provided under section 15.059 to assist the commissioner in selecting eligible organizations to receive program grants and evaluating the final reports of each organization. Members of the committee may be reimbursed for expenses but may not receive any other compensation for service on the committee. The advisory committee consists of representatives of the commissioners of education, human services, and employment and economic development; a representative of the chancellor of the Minnesota State Colleges and Universities; a representative of the commissioner of the Housing Finance Agency; and seven public members appointed by the governor. Each of the following groups must be represented by a public member experienced in working with targeted youth: labor organizations, local educators, community groups, consumers, local housing developers, youth between the ages of 16 and 24 who have a period of homelessness, and other homeless persons. At least three of the public members must be from outside of the metropolitan area as defined in section 473.121, subdivision 2. The commissioner may provide staff to the advisory committee to assist it in carrying out its purpose.

298.2213 NORTHEAST MINNESOTA ECONOMIC DEVELOPMENT FUND.

Subd. 5. **Advisory committees.** Before submission to the board of a proposal for a project for expenditure of money appropriated under this section, the commissioner of Iron Range resources and rehabilitation shall appoint a technical advisory committee consisting of at least seven persons who are knowledgeable in areas related to the objectives of the proposal. If the project involves investment in a scientific research proposal, at least four of the committee members must be knowledgeable in the specific scientific research area relating to the project. Members of the committees must be compensated as provided in section 15.059, subdivision 3. The board shall not act on a proposal until it has received the evaluation and recommendations of the technical advisory committee. Notwithstanding section 15.059, the committees do not expire.