

Legislative Update

ENERGIZE FORUM 2024





Minnesota Legislative Session

Minnesota Legislative Session

- February 12th – Session begins

Former Speaker Kurt Daudt (R) Resigns
Special Election Needed

DFL Seats

70

Republican Seats

63

Minnesota House of Representatives

Minnesota Legislative Session

- February 12th – Session begins

DFL Seats

34

Republican Seats

33

Minnesota Senate

Minnesota Legislative Session - 2023

- 100% Carbon-Free Standard and interim goals
 - 80% by 2030 (60% for consumer-owned utilities)
 - 90% by 2035
 - 100% by 2040
- Allows large hydropower (Over 100 MW) to count as renewable/carbon free
- Adds renewable standard: 55% by 2035 (was 25% x 2025)

Minnesota Legislative Session - 2024

- No new mandates regarding Carbon Free by 2040 law
- Property Tax Issue
- Permitting Reform Possibilities

Minnesota Legislative Session

POTENTIAL BILLS in 2024...

- Carbon Tax
- Energy Storage Mandate
- Solar Energy Mandate
- Green Bank
- Net-zero Housing



South Dakota Legislative Session

South Dakota Legislative Session

- Session began January 9th

Republican Seats

62

Democratic Seats

7

Minnesota House of Representatives

South Dakota Legislative Session

- Session began January 9th

Republican Seats

30

Democratic Seats

4

Minnesota Senate

SD Legislative Session

- **House Bill 1010 – Require customer consent for installation of a smart meter for a utility service.**
 - Rep. Ben Krohmer introduced on behalf of constituent
 - Requires consumer consent for installation of smart meter
 - Plus info on data collection, management and storage
- **House Bill 1009 – Modify the observation of time in South Dakota.**
 - Do away with Daylight Saving Time

SD Legislative Session

- **House Bill 1256 – Establish percentage requirements for voluntary agreements governing pipeline construction prior to the filing of a petition for condemnation**
- Rep. John Sjaarda (R-Valley Springs)
 - Require 90% of linear footage of pipeline in voluntary agreements before any condemnation can occur

SD Legislative Session

- **Senate Bill 201 – New statutory requirements for regulating linear transmission facilities and to declare an emergency (Sen. Casey Crabtree (R - Madison))**
 - Creates \$4 million fund for “extraordinary” expenses from pipeline construction
 - Prohibits counties, cities or gov’t units from passing or enforcing ordinances restricting or prohibiting
 - Require an agricultural impact mitigation plan
 - Require a dispersion model
 - Require land agents to be SD residents or real estate agents

SD Legislative Session

- **House Bill 1200 – Increase the minimum fee required with an application for construction of an energy conversion and transmission facility**
 - Increase minimum fee for PUC to investigate, review, process
 - Current: \$8,000; Proposed: \$20,000
 - Tied to actual costs rather than percentage
 - Keeps a percentage cap (tied to total project costs)

SD Legislative Session

- **House Bill 1079** – require property owner permission or a siting permit prior to entry for an examination and survey.
KILLED
 - Would've required permit from PUC before surveying
- **House Bill 1193** – require siting permits to be filed with condemnation petitions.
 - Must provide copy of PUC permit in condemnation proceeding

SD Legislative Session

- **House Bill 1190 – Establish public use criteria for purposes of condemnation proceedings**
 - Defines 69 public use entities with the power of eminent domain
 - Excludes projects that are only economic development related
 - Electric cooperatives included in list with power of eminent domain

Referred to
House Commerce & Energy

SD Legislative Session

- **House Bill 1186 – define requirements for granting a carbon pipeline easement.**
 - Payments on an annual basis (\$1 per linear foot)
 - Easement void if no carbon flowing after 5 years
 - Taken from wind energy easement statutes

Referred to
House Commerce & Energy

SD Legislative Session

- **House Bill 1185 – amend provisions regarding entry on private property for examination and survey of a project requiring a siting permit**
 - “pending or approved” siting permit from PUC, replacing “filed”
 - \$500 compensation & **and** any damage to property
 - Descriptions, types of surveys, date, time, length, person completing survey
 - Duration of presence on the property

**Referred to
House Commerce & Energy**

SD Legislative Session

- **House Bill 1034 – Require hydrogen pipelines to be permitted by the Public Utilities Commission**
 - Adds hydrogen to the list of commodities that are subject to PUC siting permits for pipelines/transmission
 - Includes coal, gas, liquid hydrocarbons (and products), carbon dioxide

PASSED HOUSE 66-3

SD Legislative Session

STILL TO COME?

- More Carbon Pipelines/Eminent Domain/Surveying
- Retail Net Metering Legislation?
- Electric Vehicle Charging?
- EV taxation for roads?
- Zoning & Permitting Issues?