

- 1.1 Senator moves to amend S.F. No. 2847 as follows:
- 1.2 Page 2, line 4, delete "106,420,000" and insert "106,621,000" and delete "35,540,000"
- 1.3 and insert "35,741,000"
- 1.4 Page 2, lines 7 and 12, delete "105,344,000" and insert "105,545,000" and delete
- 1.5 "34,443,000" and insert "34,644,000"
- 1.6 Page 2, line 31, after "is" insert "transferred from the general fund to the solar for school
- 1.7 account under Minnesota Statutes, section 216C.375,"
- 1.8 Page 2, line 34, delete "under" and insert a period
- 1.9 Page 3, line 1, delete everything before "This"
- 1.10 Page 3, line 30, delete "strengthening" and insert "strengthen"
- 1.11 Page 4, line 31, after the period, insert "This appropriation is available until June 30,
- 1.12 2034."
- 1.13 Page 5, line 6, delete everything after the period
- 1.14 Page 5, delete line 7
- 1.15 Page 5, line 8, delete everything before "As"
- 1.16 Page 5, line 29, after "appropriation" insert "and is available until June 30, 2027"
- 1.17 Page 6, line 28, delete "2032" and insert "2027"
- 1.18 Page 6, line 33, after "transferred" insert "from the general fund"
- 1.19 Page 7, line 28, delete "2028" and insert "2027"
- 1.20 Page 8, lines 13, 22, and 31, after "appropriation" insert "and is available until June 30,
- 1.21 2027"
- 1.22 Page 9, line 31, after the period, insert "Money under this paragraph is transferred from
- 1.23 the general fund to the electric school bus program account."
- 1.24 Page 10, line 5, delete "10,168,000" and insert "10,383,000" and delete "10,430,000"
- 1.25 and insert "10,645,000"
- 1.26 Page 10, line 30, after "for" insert "grants and"
- 1.27 Page 13, line 8, delete "2034" and insert "2027"
- 1.28 Page 14, lines 12 and 21, after the period, insert "This is a onetime appropriation and is
- 1.29 available until June 30, 2027."

2.1 Page 14, line 23, delete "for deposit in" and insert "transferred from the renewable
2.2 development account to"

2.3 Page 15, line 15, delete "2032" and insert "2027"

2.4 Page 16, line 25, after the period, insert "Money under this subdivision is transferred
2.5 from the renewable development account to the distributed energy resource system upgrade
2.6 program account for the purposes of this subdivision."

2.7 Page 16, line 33, delete "for deposit in" and insert "transferred from the renewable
2.8 development account to"

2.9 Page 17, line 8, after "is" insert "transferred from the renewable development account
2.10 to the electric school bus account"

2.11 Page 48, line 11, delete everything after "until" and insert "June 30, 2027."

2.12 Page 48, delete line 12

2.13 Page 56, line 6, before "The" insert "For applications submitted after August 1, 2023,"

2.14 Page 56, line 9, delete "after August 1, 2023,"

2.15 Page 56, line 22, after "A" insert "low-income community"

2.16 Page 92, line 11, delete "(m), clauses (1) to (7)" and insert "(n)"

2.17 Page 108, after line 19, insert:

2.18 "Sec. 42. Laws 2023, chapter 24, section 3, is amended to read:

2.19 Sec. 3. **APPROPRIATION.**

2.20 (a) \$115,000,000 in fiscal year 2023 is ~~appropriated~~ transferred from the general fund
2.21 ~~to the commissioner of commerce for the purposes of~~ state competitiveness fund account
2.22 under Minnesota Statutes, section 216C.391. This is a onetime ~~appropriation~~ transfer. Of
2.23 this amount:

2.24 (1) \$100,000,000 is for grant awards made under Minnesota Statutes, section 216C.391,
2.25 subdivision 3, of which at least \$75,000,000 is for grant awards of less than \$1,000,000;

2.26 (2) \$6,000,000 is for grant awards made under Minnesota Statutes, section 216C.391,
2.27 subdivision 4;

2.28 (3) \$750,000 is for the reports and audits under Minnesota Statutes, section 216C.391,
2.29 subdivision 7;

3.1 (4) \$1,500,000 is for information system development improvements necessary to carry
 3.2 out Minnesota Statutes, section 216C.391, and to improve digital access and reporting;

3.3 (5) \$6,750,000 is for technical assistance to applicants and administration of Minnesota
 3.4 Statutes, section 216C.391, by the Department of Commerce; and

3.5 (6) the commissioner may transfer money from clause (2) to clause (1) if less than 75
 3.6 percent of the money in clause (2) has been awarded by June 30, 2028.

3.7 (b) To the extent that federal funds for energy projects under the Infrastructure Investment
 3.8 and Jobs Act, Public Law 117-58, or the Inflation Reduction Act of 2022, Public Law
 3.9 117-169, become permanently unavailable to be matched with funds appropriated under
 3.10 this section, the commissioner of management and budget must certify the proportional
 3.11 amount of unencumbered funds remaining in the account established under Minnesota
 3.12 Statutes, section 216C.391, and those unencumbered funds cancel to the general fund.

3.13 **EFFECTIVE DATE.** This section is effective the day following final enactment."

3.14 Page 108, line 21, delete "effective date of this section" and insert "filing by the public
 3.15 utility subject to Minnesota Statutes, section 116C.779, of the plan required by Minnesota
 3.16 Statutes, section 216B.1641, subdivision 4, as amended by this act"

3.17 Page 112, line 7, after "(a)" insert "The commissioner of agriculture may award"

3.18 Page 112, line 8, after "facilities" insert ". A grant under this section"

3.19 Page 113, delete section 48 and insert:

3.20 "Sec. 49. **REPEALER.**

3.21 Minnesota Statutes 2022, section 16B.24, subdivision 13, is repealed.

3.22 **ARTICLE 5**

3.23 **FINANCIAL REVIEW OF GRANT AND BUSINESS SUBSIDY RECIPIENTS**

3.24 Section 1. **FINANCIAL REVIEW OF GRANT AND BUSINESS SUBSIDY** 3.25 **RECIPIENTS.**

3.26 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
 3.27 meanings given.

3.28 (b) "Grant" means a grant or business subsidy funded by an appropriation in this act.

3.29 (c) "Grantee" means a business entity as defined in Minnesota Statutes, section 5.001.

4.1 Subd. 2. **Financial information required; determination of ability to perform.** Before
4.2 an agency awards a competitive, legislatively named, single-source, or sole-source grant,
4.3 the agency must assess the risk that a grantee cannot or would not perform the required
4.4 duties. In making this assessment, the agency must review the following information:

4.5 (1) the grantee's history of performing duties similar to those required by the grant,
4.6 whether the size of the grant requires the grantee to perform services at a significantly
4.7 increased scale, and whether the size of the grant will require significant changes to the
4.8 operation of the grantee's organization;

4.9 (2) for a grantee that is a nonprofit organization, the grantee's Form 990 or Form 990-EZ
4.10 filed with the Internal Revenue Service in each of the prior three years. If the grantee has
4.11 not been in existence long enough or is not required to file Form 990 or Form 990-EZ, the
4.12 grantee must demonstrate to the grantor's satisfaction that the grantee is exempt and must
4.13 instead submit the grantee's most recent board-reviewed financial statements and
4.14 documentation of internal controls;

4.15 (3) for a for-profit business, three years of federal and state tax returns, current financial
4.16 statements, certification that the business is not under bankruptcy proceedings, and disclosure
4.17 of any liens on its assets. If a business has not been in business long enough to have three
4.18 years of tax returns, the grantee must demonstrate to the grantor's satisfaction that the grantee
4.19 has appropriate internal financial controls;

4.20 (4) evidence of registration and good standing with the secretary of state under Minnesota
4.21 Statutes, chapter 317A, or other applicable law;

4.22 (5) if the grantee's total annual revenue exceeds \$750,000, the grantee's most recent
4.23 financial audit performed by an independent third party in accordance with generally accepted
4.24 accounting principles; and

4.25 (6) certification, provided by the grantee, that none of its principals have been convicted
4.26 of a financial crime.

4.27 Subd. 3. **Additional measures for some grantees.** The agency may require additional
4.28 information and must provide enhanced oversight for grants that have not previously received
4.29 state or federal grants for similar amounts or similar duties and so have not yet demonstrated
4.30 the ability to perform the duties required under the grant on the scale required.

4.31 Subd. 4. **Assistance from administration.** An agency without adequate resources or
4.32 experience to perform obligations under this section may contract with the commissioner
4.33 of administration to perform the agency's duties under this section.

5.1 Subd. 5. **Agency authority to not award grant.** If an agency determines that there is
5.2 an appreciable risk that a grantee receiving a competitive, single-source, or sole-source
5.3 grant cannot or would not perform the required duties under the grant agreement, the agency
5.4 must notify the grantee and the commissioner of administration and give the grantee an
5.5 opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's
5.6 concerns within 45 days, the agency must not award the grant.

5.7 Subd. 6. **Legislatively named grantees.** If an agency determines that there is an
5.8 appreciable risk that a grantee receiving a legislatively named grant cannot or would not
5.9 perform the required duties under the grant agreement, the agency must notify the grantee,
5.10 the commissioner of administration, the chair and ranking minority member of the Ways
5.11 and Means Committee in the house of representatives, the chair and ranking minority member
5.12 of the Finance Committee in the senate, and the chairs and ranking minority members of
5.13 the committees in the house of representatives and the senate with primary jurisdiction over
5.14 the bill in which the money for the grant was appropriated. The agency must give the grantee
5.15 an opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's
5.16 concerns within 45 days, the agency must delay award of the grant until adjournment of the
5.17 next regular or special legislative session.

5.18 Subd. 7. **Subgrants.** If a grantee will disburse the money received from the grant to
5.19 other organizations to perform duties required under the grant agreement, the agency must
5.20 be a party to agreements between the grantee and a subgrantee. Before entering agreements
5.21 for subgrants, the agency must perform the financial review required under this section with
5.22 respect to the subgrantees.

5.23 Subd. 8. **Effect.** The requirements of this section are in addition to other requirements
5.24 imposed by law; the commissioner of administration under Minnesota Statutes, sections
5.25 16B.97 and 16B.98; or agency grant policy."

5.26 Renumber the sections in sequence and correct the internal references

5.27 Amend the title accordingly