

1.1 **Senator Dibble from the Committee on Transportation, to which was referred**

1.2 **S.F. No. 2591:** A bill for an act relating to transportation; authorizing certain entities to  
 1.3 use public roads for the purpose of constructing, using, operating, and maintaining  
 1.4 high-voltage transmission lines; amending Minnesota Statutes 2022, sections 161.45,  
 1.5 subdivision 1; 222.37, subdivision 1.

1.6 Reports the same back with the recommendation that the bill be amended as follows:

1.7 Page 1, line 8, before "Electric" insert "(a)"

1.8 Page 1, line 16, delete the new language

1.9 Page 1, line 17, delete "such rules shall" and insert ". (b) The rules under paragraph (a)  
 1.10 must"

1.11 Page 1, line 18, after the second comma, insert "and that has a power purchase agreement  
 1.12 or an agreement to transfer ownership with a Minnesota utility that directly, or through its  
 1.13 members or agents, provides retail electric service in the state"

1.14 Page 1, line 19, after "trunk highway" insert "except as necessary to protect public safety"

1.15 Page 2, after line 2, insert:

1.16 "Sec. 2. Minnesota Statutes 2022, section 161.45, subdivision 2, is amended to read:

1.17 Subd. 2. **Relocation of utility.** Whenever the relocation of any utility facility is  
 1.18 necessitated by the construction of a project on a trunk highway ~~routes other than those~~  
 1.19 ~~described in section 161.46, subdivision 2~~ route, the relocation work may be made a part  
 1.20 of the state highway construction contract or let as a separate contract as provided by law  
 1.21 if the owner or operator of the facility requests the commissioner to act as its agent for the  
 1.22 purpose of relocating the facilities and if the commissioner determines that such action is  
 1.23 in the best interests of the state. Payment by the utility owner or operator to the state shall  
 1.24 be in accordance with applicable statutes and the rules for utilities on trunk highways.

1.25 Sec. 3. Minnesota Statutes 2022, section 161.46, subdivision 2, is amended to read:

1.26 Subd. 2. **Relocation of facilities; reimbursement.** (a) Whenever the commissioner shall  
 1.27 determine the relocation of any utility facility is necessitated by the construction of a project  
 1.28 on the routes of federally aided state trunk highways, including urban extensions thereof,  
 1.29 which routes are included within the National System of Interstate Highways, the owner or  
 1.30 operator of such utility facility shall relocate the same in accordance with the order of the  
 1.31 commissioner. After the completion of such relocation the cost thereof shall be ascertained  
 1.32 and paid by the state out of trunk highway funds; provided, however, the amount to be paid

2.1 by the state for such reimbursement shall not exceed the amount on which the federal  
2.2 government bases its reimbursement for said interstate system.

2.3 (b) Notwithstanding paragraph (a), on or after January 1, 2024, any entity that receives  
2.4 a route permit under chapter 216E for a high-voltage transmission line necessary to  
2.5 interconnect an electric power generating facility is not eligible for relocation reimbursement  
2.6 unless the entity directly, or through its members or agents, provides retail electric service  
2.7 in this state."

2.8 Page 2, line 8, after "members" insert "or agents"

2.9 Renumber the sections in sequence

2.10 Amend the title as follows:

2.11 Page 1, line 4, after the semicolon, insert "prohibiting certain entities from receiving  
2.12 relocation reimbursement;"

2.13 Amend the title numbers accordingly

2.14 And when so amended the bill do pass and be re-referred to the Committee on Energy,  
2.15 Utilities, Environment, and Climate. Amendments adopted. Report adopted.

*D. Scott Dibble*

2.16 .....  
2.17 (Committee Chair)

2.18 March 20, 2023.....  
2.19 (Date of Committee recommendation)