

Senator moves to amend the delete-everything amendment (A24-0339) to S.F. No. 5201 as follows:

Page 6, line 16, before "The" insert "This section does not apply to projects funded through a state asset preservation program, including section 135A.046, 16B.307, 84.946, or 16A.632."

Page 15, after line 7, insert:

"Sec. 7. [16B.851] STATE BUILDING RENEWABLE ENERGY; STORAGE; ELECTRIC VEHICLE ACCOUNT.

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Energy storage" means the predesign, design, acquisition, construction, or installation of technology which stores and delivers electric or thermal energy.

(c) "EVSE" means electric vehicle service equipment, including charging equipment and associated infrastructure and site upgrades.

(d) "Renewable energy" has the meaning given in section 216B.2422, subdivision 1, paragraph (c), and the same sources in thermal energy.

(e) "Renewable energy improvement" means the predesign, design, acquisition, construction, or installation of a renewable energy production system or energy storage equipment or system, and associated infrastructure and facilities that are designed to result in a demand-side net reduction in energy use by the state building's electrical, heating, ventilating, air-conditioning, and hot water systems.

(f) "State agency" has the definition given in section 13.02, subdivision 17, or designated definition given in section 15.01 and includes the Office of Higher Education, Housing Finance Agency, Pollution Control Agency, Metropolitan Council, and Bureau of Mediation Services. State agency includes the agencies, boards, commissions, committees, councils, and authorities designated in section 15.012.

(g) "State building" means a building or facility owned by the state of Minnesota.

Subd. 2. Account established. A state building renewable energy, storage, and electric vehicle account is established in the special revenue fund to provide funds to state agencies to:

(1) design, construct, and equip renewable energy improvement and renewable energy storage projects at state buildings;

2.1 (2) purchase state fleet electric vehicles in accordance with section 16C.135;

2.2 (3) purchase and install EVSE and related infrastructure; and

2.3 (4) carry out management projects by the commissioner.

2.4 Subd. 3. **Account management.** The commissioner shall manage and administer the
2.5 state building renewable energy, storage, and electric vehicle account.

2.6 Subd. 4. **Accepting funds.** (a) The commissioner shall make an application to the federal
2.7 government on behalf of the state of Minnesota for all state projects eligible for elective
2.8 payments under sections 6417 and 6418 of the Internal Revenue Code, as added by Public
2.9 Law 117-169, 136 Statute 1818, the Inflation Reduction Act of 2022.

2.10 (b) The commissioner may apply for, receive, and expend money made available from
2.11 federal, state, or other sources for the purposes of carrying out the duties in this section.

2.12 (c) Notwithstanding section 16A.72, all funds received under this subdivision are
2.13 deposited into the state building renewable energy, storage, and electric vehicle account
2.14 and appropriated to the commissioner for the purposes of subdivision 2 and as permitted
2.15 under this section.

2.16 (d) Money in the state building renewable energy, storage, and electric vehicle account
2.17 does not cancel and is available until expended.

2.18 Subd. 5. **Applications.** A state agency applying for state building renewable energy,
2.19 storage, EVSE, and electric fleet vehicle funds must submit an application to the
2.20 commissioner on a form, in the manner, and at the time prescribed by the commissioner.

2.21 Subd. 6. **Treatment of certain payments received from federal government.** (a)
2.22 Federal payments received for eligible renewable energy improvement and storage projects
2.23 and EVSE projects made with appropriations from general obligation bonds may be
2.24 transferred to the state bond fund if consistent with federal treasury regulations.

2.25 (b) Federal payments received for eligible electric fleet vehicle purchases by the
2.26 Department of Administration's fleet division must be transferred to the motor pool revolving
2.27 account established in section 16B.54, subdivision 8.

2.28 (c) Federal payments received for eligible electric fleet vehicle purchases made directly
2.29 by a state agency shall be transferred to the fund from which the purchase was made.

2.30 (d) When obligated to fulfill financing agreements, federal payments received for eligible
2.31 renewable energy improvements shall be transferred to the appropriate agency.

2.32 Subd. 7. **Expiration.** This section expires June 30, 2040.

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

3.2 Sec. 8. **[116J.9927] PROMOTING CONSTRUCTION AND RENOVATION OF**
3.3 **PUBLIC SKATE PARKS THROUGHOUT THE STATE.**

3.4 Subdivision 1. **Definition.** For purposes of this section, "skate" or "skate sports" means
3.5 wheeled nonmotorized recreation, including skateboarding, roller blading, roller skating,
3.6 and BMX biking.

3.7 Subd. 2. **Nonprofit organization.** By July 1, 2024, and every three years thereafter, the
3.8 commissioner must enter into a three-year contract with a tax-exempt organization under
3.9 section 501(c)(3) of the Internal Revenue Code with a primary purpose to facilitate and
3.10 promote skate sports for the organization to evaluate applications from local units of
3.11 government for grants under this section and to select recipients for grants from available
3.12 appropriations. The commissioner may pay the nonprofit organization up to four percent
3.13 of the funds appropriated for grants under this section to compensate the nonprofit
3.14 organization for its work evaluating grant applications and selecting grant recipients.

3.15 Subd. 3. **Grants.** The commissioner must use money appropriated for this purpose to
3.16 make grants to local units of government to construct or renovate public skate parks
3.17 throughout the state. The grants must be made to local units of government for projects
3.18 selected by the nonprofit organization for an amount determined by the nonprofit
3.19 organization. Grants may be for the full cost of the project or may supplement local funding
3.20 as necessary to complete funding for a project.

3.21 Subd. 4. **Application process.** The commissioner must facilitate a process for soliciting
3.22 applications for grants from local governments and provide the applications to the nonprofit
3.23 organization responsible to select grantees.

3.24 Subd. 5. **Grant selection process.** (a) The nonprofit organization must consider the
3.25 following criteria in selecting projects for funding:

3.26 (1) the demonstrated interest of the community in a skate park project, including the
3.27 commitment of local government money and private donations for the project;

3.28 (2) the accessibility of the proposed site to an arterial highway, transit, or pedestrian or
3.29 bike path;

3.30 (3) equitable geographic dispersion to maximize potential for full utilization;

3.31 (4) commitment to accommodate noncompetitive family and community skating for all
3.32 ages and to encourage use of skate parks by a diverse population; and

4.1 (5) whether the project is requested by more than one local government unit.

4.2 (b) The nonprofit organization must give priority to applicants that propose projects
4.3 designed by experts in the field of concrete skate park design and are to be constructed by
4.4 professionals with experience in the construction of concrete skate parks.

4.5 Subd. 6. **Skate park requirements.** To be eligible for a grant under this section, a skate
4.6 park must be:

4.7 (1) accessible to the public without charge for personal use;

4.8 (2) constructed of concrete; and

4.9 (3) developed and programmed with input from youth during the planning, design, and
4.10 programming for the skate park.

4.11 Subd. 7. **Agreements with local governments and cooperative purchasing**
4.12 **agreements.** The commissioner may enter into cooperative purchasing agreements under
4.13 section 471.59 with local governments to purchase skate park equipment and services
4.14 through state contracts. The cooperative skate park equipment purchasing revolving fund
4.15 is created as a separate account in the state treasury. The commissioner may charge a fee
4.16 to cover the commissioner's administrative expenses to government units that have joint or
4.17 cooperative purchasing agreements with the state under section 471.59. The fees collected
4.18 must be deposited in the revolving fund established by this subdivision. Money in the fund
4.19 is appropriated to the commissioner to administer the programs and services covered by
4.20 this section.

4.21 Subd. 8. **Awarding a design-build contract.** Notwithstanding section 471.345, cities,
4.22 towns, counties, park boards, and school districts may solicit and award a design-build or
4.23 construction manager at-risk contract for a construction or upgrade project funded under
4.24 this section on the basis of a best value selection process. The city, town, county, park board,
4.25 or school district must consider at least two proposals when awarding a design-build contract
4.26 under this section.

4.27 Subd. 9. **Availability of funds.** A grant of money from an appropriation under this
4.28 program is available to each grantee until the project that is the subject of the grant is
4.29 completed or abandoned, subject to section 16A.642.

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

4.31 Page 18, delete section 12 and insert:

- 5.1 "Sec. 14. **REPEALER.**
- 5.2 (a) Laws 2023, chapter 71, article 1, section 7, is repealed.
- 5.3 (b) Minnesota Statutes 2022, section 240A.20, subdivisions 2, 4, and 5, are repealed.
- 5.4 (c) Minnesota Statutes 2023 Supplement, section 240A.20, subdivisions 1, 3, 6, and 7,
- 5.5 are repealed.
- 5.6 (d) Laws 2023, chapter 53, article 17, section 2, is repealed."
- 5.7 Renumber the sections in sequence and correct the internal references
- 5.8 Amend the title accordingly