



States' Biofuels Statutes

STATE OF MINNESOTA

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).

Current through the 2013 Legislative Session of the Minnesota General Assembly.

41A.105. NextGen energy

Subdivision 1. Purpose. It is the goal of the state through the Department of Agriculture to research and develop energy sources to displace fossil fuels with renewable technology.

Subd. 1a. Definitions. For the purpose of this section:

- (1) “biobased content” means a chemical, polymer, monomer, or plastic that is not sold primarily for use as food, feed, or fuel and that has a biobased percentage of at least 51 percent as determined by testing representative samples using American Society for Testing and Materials specification D6866;
- (2) “biobased formulated product” means a product that is not sold primarily for use as food, feed, or fuel and that has a biobased content percentage of at least ten percent as determined by testing representative samples using American Society for Testing and Materials specification D6866, or that contains a biobased chemical constituent that displaces a known hazardous or toxic constituent previously used in the product formulation;
- (3) “biobutanol facility” means a facility at which biobutanol is produced; and
- (4) “biobutanol” means fermentation isobutyl alcohol that is derived from agricultural products, including potatoes, cereal grains, cheese whey, and sugar beets; forest products; or other renewable resources, including residue and waste generated from the production, processing, and marketing of agricultural products, forest products, and other renewable resources.

Subd. 2. NextGen Energy Board. There is created a NextGen Energy Board consisting of the commissioners of agriculture, commerce, natural resources, the Pollution Control Agency, and employment and economic development; the chairs of the house of representatives and senate committees with jurisdiction over energy finance; the chairs of the house of representatives and senate committees with jurisdiction over agriculture finance; one member of the second largest political party in the house of representatives, as appointed by the chairs of the house of representatives committees with jurisdiction over agriculture finance and energy finance; one member of the second largest political party in the senate, as appointed by the chairs of the senate committees with jurisdiction over agriculture finance and energy finance; and the executive director of the Agricultural Utilization Research Institute. In addition, the governor shall appoint eight members: two representing statewide agriculture organizations; two representing statewide environment and natural resource conservation organizations; one representing the University of Minnesota; one representing the Minnesota Institute for Sustainable Agriculture; one representing the Minnesota State Colleges and Universities system; and one representing the forest products industry.

Subd. 3. Duties. The board shall research and report to the commissioner of agriculture and to the legislature recommendations as to how the state can invest its resources to most efficiently achieve energy independence, agricultural and natural resources sustainability, and rural economic vitality. The board shall:

- (1) examine the future of fuels, such as synthetic gases, biobutanol, hydrogen, methanol, biodiesel, and ethanol within Minnesota;
- (2) examine the opportunity for biobased content and biobased formulated product production at integrated biorefineries or stand-alone facilities using agricultural and forestry feedstocks;
- (3) develop equity grant programs to assist locally owned facilities;
- (4) study the proper role of the state in creating financing and investing and providing incentives;
- (5) evaluate how state and federal programs, including the Farm Bill, can best work together and leverage resources;
- (6) work with other entities and committees to develop a clean energy program; and
- (7) report to the legislature before February 1 each year with recommendations as to appropriations and results of past actions and projects.

Subd. 4. Commissioner's duties. The commissioner of agriculture shall administer this section.

Subd. 5. Expiration. This section expires June 30, 2015.

Credits: Laws 2007, c. 45, art. 1, § 47, eff. July 1, 2007. Amended by Laws 2008, c. 297, art. 1, § 21, eff. July 1, 2008; Laws 2011, c. 107, § 3, eff. July 1, 2011; Laws 2013, c. 114, art. 2, §§ 46 to 48, eff. July 1, 2013.