



March 10, 2025

Chair Swedzinski and Members of the Committee:

MCEA is a non-profit organization celebrating our 50th year of using law and science to protect the state's natural resources and the health of its people. We appreciate the opportunity to testify on HF 787 and the DE amendment filed to HF 787. **MCEA opposes both the bill as introduced and the proposed amendment, as both would prevent Minnesota from reaching our goal of 100% carbon-free electricity by 2040.**

Minnesota imports a significant amount of electricity from other states and Canada, and Minnesota is a net importer of electricity. Some Minnesota utilities (such as Minnesota Power) have proposed building fossil fuel power plants just outside of Minnesota's borders. Currently, Minnesota law is clear that by 2040 all electricity consumed within Minnesota will be carbon-free. If HF 787 or the DE amendment were to become law, it would create a major loophole to the 100% law, allowing utilities to build fossil fuel plants that would serve Minnesotans just outside Minnesota's borders.

Minnesota is responsible for the activity that happens within our borders, which is why the 100% carbon-free standard was carefully crafted to ensure that state standards apply to the activities happening within our borders. Minnesota is entitled to set these standards on behalf of its residents. For electricity, Minnesota is not required to allow fossil fuel generated power any more than it is required to allow any other product that doesn't comply with Minnesota's laws.

Around the time of the passage of the 100% carbon-free electricity standard, there were many claims that it would be the subject of litigation, specifically by the State of North Dakota. Nearly two years after the passage of this law, no such lawsuit has been filed. Minnesota's 100% carbon-free electricity law does not violate federal law or the U.S. Constitution, regardless of what opponents of the law said then, or say now.

For MCEA, the bottom line is that Minnesota needs to transition quickly to carbon-free electricity to do our part to address the climate crisis. Creating loopholes in the 100% carbon-free law is going in the wrong direction. That's why MCEA opposes HF 787 and the DE amendment.

Sincerely,

Aaron Klemz
Chief Strategy Officer
aklemz@mncenter.org // (763) 788-0282