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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **3369**

March 4, 2010

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The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

1.1 A bill for an act  
1.2 relating to water; requiring disclosure of contaminated wells and special well  
1.3 construction areas; requiring perfluorochemical testing of new wells in certain  
1.4 areas; amending Minnesota Statutes 2008, section 103I.236; proposing coding  
1.5 for new law in Minnesota Statutes, chapter 103I.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 103I.236, is amended to read:

1.8 **103I.236 CONTAMINATED WELL DISCLOSURE IN WASHINGTON**  
1.9 **COUNTY.**

1.10 (a) Before signing an agreement to sell or transfer real property in Washington  
1.11 County that is not served by a municipal water system, the seller must state in writing to  
1.12 the buyer whether, to the seller's knowledge, the property is located within a special well  
1.13 construction area designated by the commissioner of health under Minnesota Rules, part  
1.14 4725.3650. If the disclosure under section 103I.235, subdivision 1, paragraph (a), states  
1.15 that there is an unsealed well on the property, the disclosure required under this clause  
1.16 must be made regardless of whether the property is served by a municipal water system.

1.17 (b) Before signing an agreement to sell or transfer real property that is not served  
1.18 by a municipal water system, the seller must state in writing to the buyer whether, to the  
1.19 seller's knowledge, the property contains a well known to be contaminated.

1.20 **Sec. 2. [103I.237] SPECIAL WELL CONSTRUCTION AREA NOTICE.**

1.21 The commissioner of health shall notify, by mail, local governments and property  
1.22 owners within a special well construction area designated under Minnesota Rules, part  
1.23 4725.3650, at least once every two years. The notice must contain information stating that

2.1 the property lies within a special well construction area, general information about special  
2.2 well construction areas, and the notification requirements under section 103I.236.

2.3 **Sec. 3. PERFLUOROCHEMICAL TESTING REQUIRED OF NEW WELLS.**

2.4 The commissioner of health shall amend Minnesota Rules, part 4725.5650, to require  
2.5 a person who constructs a new potable water-supply well in a special well construction area  
2.6 where perfluorochemicals have been found to ensure that a water sample is taken within  
2.7 30 days of construction and that the well indicates the absence of perfluorochemicals.

2.8 The amendments to the rules are exempt from the rulemaking provisions of Minnesota  
2.9 Statutes, chapter 14, and are exempt from Minnesota Statutes, section 14.386.