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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 3445

March 8, 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 wastewater treatment facilities to recover the costs
1.3 of providing services; modifying eligibility for loans and grants administered
1.4 by the Public Facilities Authority; amending Minnesota Statutes 2008, sections
1.5 444.075, subdivision 3; 446A.051, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 444.075, subdivision 3, is amended to read:

1.8 Subd. 3. **Charges; net revenues.** (a) To pay for the construction, reconstruction,
1.9 repair, enlargement, improvement, or other obtainment, the maintenance, operation and
1.10 use of the facilities, and of obtaining and complying with permits required by law, the
1.11 governing body of a municipality or county may impose just and equitable charges for
1.12 the use and for the availability of the facilities and for connections with them and make
1.13 contracts for the charges as provided in this section. The charges may be imposed with
1.14 respect to facilities made available by agreement with other municipalities, counties
1.15 or private corporations or individuals, as well as those owned and operated by the
1.16 municipality or county itself.

1.17 (b) Notwithstanding local charter restrictions, charges made for service rendered
1.18 shall be as nearly as possible proportionate to the cost of furnishing the service except as
1.19 provided in paragraph (c).

1.20 (c) Notwithstanding local charter restrictions, the governing body of a municipality
1.21 or county shall charge for the use and availability of a wastewater treatment facility an
1.22 amount that, in total, is at least an amount sufficient to cover the cost of furnishing the
1.23 services to all those receiving services. Any charges in excess of the costs of furnishing the
1.24 services shall be used to pay for future construction, reconstruction, repair, enlargement,

2.1 improvement or other obtainment; maintenance, operation, and use of the facilities; and
2.2 the cost of obtaining and complying with permits required by law.

2.3 **EFFECTIVE DATE.** This section is effective January 1, 2012.

2.4 Sec. 2. Minnesota Statutes 2008, section 446A.051, is amended by adding a
2.5 subdivision to read:

2.6 Subd. 4. **Wastewater treatment facilities.** In order to be eligible for a loan or grant
2.7 under this chapter for a wastewater treatment facility, a governmental unit shall establish
2.8 and fund an enterprise account to provide funding for future construction, reconstruction,
2.9 repair, enlargement, or other improvement.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2010.