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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. **135**

January 20, 2011

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The bill was read for the first time and referred to the Committee on Health and Human Services Reform

February 24, 2011

Committee Recommendation and Adoption of Report:

Amended and re-referred to the Committee on Government Operations and Elections without further recommendation

March 9, 2011

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; modifying authority to regulate wells; amending
1.3 Minnesota Statutes 2010, sections 110A.02, subdivision 4; 412.221, subdivision
1.4 11; proposing coding for new law in Minnesota Statutes, chapter 465.

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

1.6 Section 1. Minnesota Statutes 2010, section 110A.02, subdivision 4, is amended to read:

1.7 Subd. 4. **Works; system.** "Works" and "system" include all lands, property, rights,
1.8 rights-of-way, easements, and related franchises deemed necessary or convenient for their
1.9 operation, all water rights acquired or exercised by the board in connection with works,
1.10 all means of conserving, controlling, and distributing water, including, but not limited
1.11 to outlets, treatment plants, pumps, lift stations, service connections, mains, valves,
1.12 hydrants, public wells, reservoirs, tanks and other appurtenances of public water systems.

1.13 A work or system may be used for domestic, commercial, industrial and stock watering
1.14 purposes only and shall not be used for irrigation purposes. A board cannot regulate
1.15 the construction or use of private wells.

1.16 Sec. 2. Minnesota Statutes 2010, section 412.221, subdivision 11, is amended to read:

1.17 Subd. 11. **Waterworks.** The council shall have power to provide and by ordinance
1.18 regulate the use of public wells, cisterns, reservoirs, waterworks, and other means of
1.19 public water supply.

1.20 Sec. 3. **[465.605] PRIVATE WELLS.**

1.21 A home rule charter city or statutory city cannot regulate the construction or use of
1.22 private wells.