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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4736

03/31/2022 Authored by Hansen, R., The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to environment; requiring rulemaking to address certain climate issues for
1.3 wastewater and water supply projects; amending Minnesota Statutes 2020, sections
1.4 116.182, subdivision 5; 446A.081, subdivision 12.

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

1.6 Section 1. Minnesota Statutes 2020, section 116.182, subdivision 5, is amended to read:

1.7 Subd. 5. Rules. The agency shall adopt rules for the administration of the financial
1.8 assistance program. For wastewater treatment projects, the rules must include:

- 1.9 (1) application requirements;
1.10 (2) criteria for the ranking of projects in order of priority based on factors including:
1.11 (i) the type of project and;
1.12 (ii) the degree of environmental impact, and;
1.13 (iii) scenic and wild river standards;
1.14 (iv) climate resiliency; and
1.15 (v) reduction of greenhouse gas emissions; and
1.16 (3) criteria for determining essential project components.

1.17 Sec. 2. Minnesota Statutes 2020, section 446A.081, subdivision 12, is amended to read:

1.18 Subd. 12. Rules of the department. (a) The Department of Health shall adopt rules
1.19 relating to the procedures for administration of the Department of Health's duties under the
1.20 act and this section.

2.1 (b) Rules that establish criteria for ranking new or upgrade water supply system projects  
2.2 in order of priority must assign priority points for projects that:

2.3 (1) address climate resiliency; and

2.4 (2) reduce greenhouse gas emissions.

2.5 **Sec. 3. INTERIM PROJECT PRIORITY LIST RECOMMENDATIONS;**  
2.6 **POLLUTION CONTROL AGENCY.**

2.7 Until rules factoring in climate resiliency and greenhouse gas emissions are adopted  
2.8 under Minnesota Statutes, section 116.182, subdivision 5, the commissioner of the Pollution  
2.9 Control Agency must review each project priority list developed and provide  
2.10 recommendations to the Public Facilities Authority that prioritize the projects based on  
2.11 climate resiliency and the reduction of greenhouse gas emissions. The Public Facilities  
2.12 Authority must use the recommendations when developing the intended use plan developed  
2.13 under Minnesota Statutes, section 446A.07, and when making other funding decisions  
2.14 dependent on the Pollution Control Agency's project priority list.

2.15 **Sec. 4. INTERIM PROJECT PRIORITY LIST RECOMMENDATIONS;**  
2.16 **COMMISSIONER OF HEALTH.**

2.17 Until rules factoring climate resiliency and greenhouse gas emissions are adopted under  
2.18 Minnesota Statutes, section 446A.081, subdivision 12, the commissioner of health must  
2.19 review each project priority list developed and provide recommendations to the Public  
2.20 Facilities Authority that prioritize the projects based on climate resiliency and the reduction  
2.21 of greenhouse gas emissions. The Public Facilities Authority must use the recommendations  
2.22 when developing the intended use plan developed under Minnesota Statutes, section  
2.23 446A.081, subdivision 5, and when making other funding decisions dependent on the  
2.24 Department of Health's project priority list.