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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4115

03/07/2022 Authored by Jordan, Hamilton, Boe, Feist, Wazlawik and others

The bill was read for the first time and referred to the Committee on Industrial Education and Economic Development Finance and Policy

03/14/2022 Adoption of Report: Re-referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to capital investment; establishing a grant to replace lead drinking water
1.3 service lines; establishing a grant for mapping lead service lines; appropriating
1.4 money; proposing coding for new law in Minnesota Statutes, chapter 446A.

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

1.6 Section 1. [446A.077] LEAD SERVICE LINE REPLACEMENT GRANT PROGRAM.

1.7 Subdivision 1. Establishment. The authority must establish a program to replace lead
1.8 drinking water service lines in the state by 2032 and must provide grants to entities for this
1.9 purpose. The program must be structured so as to maximize use of federal funds available
1.10 for the purposes described in subdivision 2.

1.11 Subd. 2. Eligible recipients. The following are eligible recipients of funds in the program:

1.12 (1) community public water suppliers of a community water system as defined in Code
1.13 of Federal Regulations, title 40, section 141.2, as amended;

1.14 (2) municipalities;

1.15 (3) suppliers of other residential drinking water systems; and

1.16 (4) any applicant eligible for loans and grants under the federal Safe Drinking Water
1.17 Act.

1.18 Subd. 3. Eligible uses. A city may use a grant provided under this program for:

1.19 (1) removing and replacing lead drinking water service lines;

1.20 (2) installing replacement drinking water service lines;

2.1 (3) matching federal dollars made available for the purposes described in clauses (1)
2.2 and (2); and

2.3 (4) providing information to residents on the benefits of lead service line removal.

2.4 Subd. 4. **Required removal of privately owned lead service line.** At least 70 percent
2.5 of the funds made available under the grant must be used for the purposes of removing
2.6 privately owned portions of lead drinking water service lines or installing privately owned
2.7 portions of drinking water service lines.

2.8 Subd. 5. **Grant priorities.** In prioritizing the expenditure of grant money received under
2.9 this section, the authority must give priority to applications that utilize the funds as part of
2.10 a plan to remove all lead service lines within a municipality or residential drinking water
2.11 system. A plan should include:

2.12 (1) a description of how the recipient will maximize the number of property owners with
2.13 privately owned portions of lead lines that will participate in the removal and replacement,
2.14 including lower-income residents and those from other disadvantaged communities;

2.15 (2) a description of how the recipient will coordinate the removal of the publicly owned
2.16 and privately owned portions of the lead lines to maximize efficient use of funds; and

2.17 (3) a description of how the recipient will minimize the number of lead service lines
2.18 that are only partially removed.

2.19 Subd. 6. **Workforce plan.** Applicants who serve 75,000 customers or more must submit
2.20 a workforce plan as part of their application. The workforce plan must include a description
2.21 of how the applicant will maximize the use of registered apprentices, along with populations
2.22 under-represented in the construction industry in the lead removal and replacement work.

2.23 Subd. 7. **Reporting.** By August 1 each year, the authority must report to the chairs and
2.24 ranking minority members of the legislative committees and divisions with jurisdiction over
2.25 environment and natural resources policy and finance on the operation of the program during
2.26 the previous fiscal year.

2.27 Subd. 8. **Prevailing wage.** Laborers and mechanics performing work on a project funded
2.28 by this grant program, including removal and replacement of lead drinking water service
2.29 lines and installation of replacement drinking water service lines, must be paid the prevailing
2.30 wage rate for the work as defined in section 177.42, subdivision 6. The project is subject
2.31 to the requirements and enforcement provisions of sections 177.30 and 177.41 to 177.45.

3.1 Subd. 9. **General fund appropriation.** \$30,000,000 in fiscal year 2023 through fiscal
3.2 year 2032 is appropriated from the general fund to the authority for grants under the program
3.3 established under this section. This subdivision expires June 30, 2032.

3.4 Sec. 2. **[446A.078] LEAD LINE REMOVAL GOAL.**

3.5 It shall be the goal of the state of Minnesota to remove all lead service lines in public
3.6 drinking water systems by 2032.

3.7 Sec. 3. **LEAD SERVICE LINE MAPPING GRANT.**

3.8 Subdivision 1. **Establishment.** The Department of Health shall establish a grant program
3.9 to provide financial assistance to municipalities for producing an inventory of publicly and
3.10 privately owned lead service lines within their jurisdiction.

3.11 Subd. 2. **Eligible uses.** A municipality may use funding under this program for:

3.12 (1) the surveying of households to determine the material of their water service line;

3.13 (2) the creation of publicly available databases or visualizations of lead service lines;

3.14 and

3.15 (3) compliance with the Environmental Protection Agency's Lead and Copper Rule lead
3.16 service line inventory requirements.

3.17 Subd. 3. **Appropriation.** \$5,000,000 in fiscal year 2023 is appropriated from the general
3.18 fund to the commissioner of health for grants under this section. The base for this
3.19 appropriation in the biennium in fiscal years 2024 and 2025 is \$5,000,000.

3.20 **EFFECTIVE DATE.** This section is effective July 1, 2022.