

1.1 A bill for an act

1.2 relating to metropolitan government; modifying provisions for the allocation of
1.3 treatment works and interceptors reserved capacity costs; amending Minnesota
1.4 Statutes 2008, section 473.517, subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2008, section 473.517, subdivision 3, is amended to read:

1.7 Subd. 3. **Allocation of treatment, interceptor costs; reserved capacity.** (a)

1.8 In preparing each budget the council shall estimate the current costs of acquisition,
1.9 betterment, and debt service, only, of the treatment works in the metropolitan disposal
1.10 system which will not be used to total capacity during the budget year, and the percentage
1.11 of such capacity which will not be used, and shall deduct the same percentage of such
1.12 treatment works costs from the current costs allocated under subdivision 1. The council
1.13 shall also estimate the current costs of acquisition, betterment, and debt service, only, of
1.14 the interceptors in the metropolitan disposal system that will not be used to total capacity
1.15 during the budget year, shall estimate the percentage of the total capacity that will not be
1.16 used, and shall deduct the same percentage of interceptor costs from the current costs
1.17 allocated under subdivision 1. The total amount so deducted with respect to all treatment
1.18 works and interceptors in the system shall be allocated among and paid by the respective
1.19 local government units in the metropolitan area ~~for which system capacity unused each~~
1.20 ~~year is reserved for future use, in proportion to the amounts of such capacity reserved for~~
1.21 ~~each of them~~ by the imposition of a metropolitan sewer availability charge for each new
1.22 connection or increase in capacity demand to the metropolitan disposal system within
1.23 each local government unit.

2.1 (b) Amounts collected through the metropolitan sewer availability charge must be
2.2 deposited in the council's wastewater reserve capacity fund and the amount deducted from
2.3 current costs as provided for in this subdivision shall be transferred each fiscal year from
2.4 such fund to the wastewater operating fund for the described purpose.

2.5 (c) If the council determines for any fiscal year that an adjustment of the metropolitan
2.6 sewer availability charge is necessary to ensure adequate funds for the wastewater reserve
2.7 capacity fund to transfer to the wastewater operating fund, the council may reduce the
2.8 deduction from current costs provided for in paragraph (a) to such amount as will result in
2.9 an increase of the metropolitan sewer availability charge that does not exceed six percent
2.10 or three percent more than the annual increase in the Consumer Price Index for the
2.11 metropolitan region for the previous year, whichever percent is greater. The council shall
2.12 make such determination after appropriate study and a public hearing.

2.13 Sec. 2. **APPLICATION.**

2.14 This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
2.15 Scott, and Washington.

2.16 Sec. 3. **EFFECTIVE DATE.**

2.17 This act is effective the day following final enactment.