

**SENATE  
STATE OF MINNESOTA  
EIGHTY-NINTH SESSION**

**S.F. No. 1844**

(SENATE AUTHORS: GAZELKA)

DATE	D-PG	OFFICIAL STATUS
03/18/2015	966	Introduction and first reading Referred to State and Local Government

1.1 A bill for an act  
 1.2 relating to local government; changing requirements for entering into water  
 1.3 tank service contracts; amending Minnesota Statutes 2014, section 471.345,  
 1.4 subdivision 5b.

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

1.6 Section 1. Minnesota Statutes 2014, section 471.345, subdivision 5b, is amended to read:

1.7 Subd. 5b. **Water tank service contracts.** A municipality may, ~~by direct negotiation~~  
 1.8 ~~or through the solicitation of~~ solicit requests for proposals; and enter into a multiyear  
 1.9 professional service contract for the engineering, repair, and maintenance of a water  
 1.10 storage tank and appurtenant facilities owned, controlled, or operated by the municipality,  
 1.11 if the contract contains:

1.12 (1) a provision that the municipality is not required to make total payments in a  
 1.13 single year that exceed the water utility charges received by the municipality for that year;

1.14 (2) a provision requiring that the work performed be done under the review of a  
 1.15 professional engineer licensed in the state of Minnesota attesting that the work will be  
 1.16 performed in compliance with all applicable codes and engineering standards; and

1.17 (3) a provision that if, at the commencement of the contract, the water tank or  
 1.18 appurtenant facilities require engineering, repair, or service in order to bring the water  
 1.19 tank or facilities into compliance with federal, state, or local requirements, the party  
 1.20 contracting with the municipality is responsible for providing the engineering, repair, or  
 1.21 service. The costs to bring the water tank or facilities into compliance must be itemized  
 1.22 separately and charged to the municipality in payments spread over a period of not less  
 1.23 than three years from the commencement of the contract.