

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1935

DATE: February 11, 2004

Version: First Engrossment

Authors: Hornstein and Abrams

Subject: Municipal storm sewer utilities, first class cities added

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill permits cities of the first class, specifically Minneapolis, to use the statute that all other cities and towns may use to build and finance waterworks, and sanitary and storm sewer systems. It adds express authorization to include the costs of permits and permit compliance in the financing and charges imposed. It also establishes a different way of calculating storm sewer charges, rather than basing them on water use as for sanitary sewer charges. Finally, it makes a number of technical, clarifying changes.

Section

1 **Definitions.** Strikes the language that excludes cities of the first class (Minneapolis, St. Paul, and Duluth) from the statute authorizing cities and towns to build waterworks and sewer systems. This primarily affects Minneapolis and St. Paul. Duluth is authorized to use the statute by special legislation, Laws 1995, ch. 90. St. Paul was authorized to use this statute under Laws 1985, 1st spec. sess., ch. 14, art. 19, sec. 7, coded in Minn. Stat. § 116.19, but that statute was repealed in 2002.

Moves to this section of definitions the terms currently defined in the next section. The definitions there are stricken.

2 **Authorization.** Technical. Strikes the definitions of terms that are moved to the definition section above.

Section

- 3** **Financing.** Adds to the purposes for which a municipality may issue debt the costs of obtaining and complying with permits required by law (the NPDES - National Pollution Discharge Elimination System permit).
- 4** **Charges; net revenues.** Separates sanitary sewer charges from storm sewer charges in the provision authorizing sewer charges. Continues to allow sanitary sewer charges to be based on water use. Permits storm sewer charges to be based on area of the property charged, adjusted for a reasonable calculation of the storm water runoff and other factors related to storm water. Subdivides the rest of the section for clarification.
- 5** **Effective date (see author's amendment).** The portion of section 1 that strikes the exclusion of cities of the first class is effective August 1, 2004, and the remainder is effective January 1, 2006.