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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1846

03/01/2017 Authored by Thissen, Bly, Pinto, Schultz, Lee and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to health; requiring lead testing of water in public school buildings;
1.3 amending Minnesota Statutes 2016, section 123B.595, subdivision 4; proposing
1.4 coding for new law in Minnesota Statutes, chapter 121A.

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

1.6 Section 1. 121A.335 LEAD IN SCHOOL DRINKING WATER.

1.7 Subdivision 1. **Model plan.** The commissioners of health and education shall jointly
1.8 develop a model plan to require school districts to accurately and efficiently test for the
1.9 presence of lead in water in public school buildings serving students in kindergarten through
1.10 grade 12. To the extent possible, the commissioners shall base the plan on the standards
1.11 established by the United States Environmental Protection Agency. The plan may be based
1.12 on the technical guidance in the Department of Health's document, "Reducing Lead in
1.13 Drinking Water: A Technical Guidance for Minnesota's School and Child Care Facilities."

1.14 Subd. 2. **School plans.** By July 1, 2018, the board of each school district or charter
1.15 school must adopt the commissioners' model plan or develop and adopt an alternative plan
1.16 to accurately and efficiently test for the presence of lead in water in school buildings serving
1.17 prekindergarten students and students in kindergarten through grade 12.

1.18 Subd. 3. **Frequency of testing.** The plan must include a testing schedule that requires
1.19 testing for the presence of lead in water in all buildings serving school districts and charter
1.20 school students where there is a source of water that may be consumed by students. The
1.21 testing must be conducted annually in calendar years 2018 and 2019. The testing must be
1.22 conducted at least once every five years thereafter.

2.1 Subd. 4. **Ten-year facilities plan.** A school district may include lead testing and
2.2 remediation as a part of its ten-year facilities plan under section 123B.595.

2.3 Subd. 5. **Report placed on its Web site.** Each school district and charter school must
2.4 post its most recent test results showing the presence of lead in its drinking water on its
2.5 Web site.

2.6 **EFFECTIVE DATE.** This section is effective July 1, 2017.

2.7 Sec. 2. Minnesota Statutes 2016, section 123B.595, subdivision 4, is amended to read:

2.8 Subd. 4. **Facilities plans.** (a) To qualify for revenue under this section, a school district
2.9 or intermediate district, not including a charter school, must have a ten-year facility plan
2.10 adopted by the school board and approved by the commissioner. The plan must include
2.11 provisions for implementing a health and safety program that complies with health, safety,
2.12 and environmental regulations and best practices, including indoor air quality management
2.13 and remediation of lead hazards.

2.14 (b) The district must annually update the plan, submit the plan to the commissioner for
2.15 approval by July 31, and indicate whether the district will issue bonds to finance the plan
2.16 or levy for the costs.

2.17 (c) For school districts issuing bonds to finance the plan, the plan must include a debt
2.18 service schedule demonstrating that the debt service revenue required to pay the principal
2.19 and interest on the bonds each year will not exceed the projected long-term facilities revenue
2.20 for that year.

2.21 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2018 and
2.22 later.