

1.1 **Senator Kunesh from the Committee on Education Finance, to which was**
1.2 **re-referred**

1.3 **S.F. No. 579:** A bill for an act relating to education; modifying lead testing and
1.4 remediation requirements in schools; requiring a report; appropriating money; amending
1.5 Minnesota Statutes 2022, sections 121A.335; 123B.595, subdivisions 1, 2, 7, 8, 8a, 9.

1.6 Reports the same back with the recommendation that the bill be amended as follows:

1.7 Page 1, line 17, before "By" insert "(a)"

1.8 Page 1, after line 20, insert:

1.9 "(b) By July 1, 2024, a school district or charter school must revise its plan to include
1.10 its policies and procedures for ensuring consistent water quality throughout the district's or
1.11 charter school's facilities. The plan must document the routine water management strategies
1.12 and procedures used in each building or facility to maintain water quality and reduce exposure
1.13 to lead. A district or charter school must base the plan on the United States Environmental
1.14 Protection Agency's "Ensuring Drinking Water Quality in Schools During and After Extended
1.15 Closures" fact sheet and United States Environmental Protection Agency's "3Ts Toolkit for
1.16 Reducing Lead in Drinking Water in Schools and Child Care Facilities." A district or charter
1.17 school's plan must be publicly available upon request."

1.18 Page 2, line 6, strike "minimized" and insert "reduced to at or below five parts per billion
1.19 as verified by a retest"

1.20 Page 2, line 8, strike "source" and insert "fixture"

1.21 Page 2, line 9, strike "source" and insert "fixture"

1.22 Page 2, line 10, strike "minimized" and insert "remediated, as verified by a retest"

1.23 Page 2, line 13, delete "less than" and insert "at or below"

1.24 Page 2, line 14, reinstate the stricken language and delete the new language

1.25 Page 2, line 22, after "annually" insert "as new testing or remediation information
1.26 becomes available"

1.27 Page 2, line 26, strike "School districts and charter schools must follow the actions
1.28 outlined in guidance"

1.29 Page 2, line 27, strike "from the commissioners of health and education."

1.30 Page 2, line 30, strike "below the level"

1.31 Page 2, line 31, strike "set in guidance" and insert "five parts per billion or less" and
1.32 strike everything after the period

2.1 Page 2, strike line 32

2.2 Page 2, line 33, strike "minimized" and delete the new language

2.3 Page 2, line 34, delete the new language and strike the period

2.4 Page 3, line 1, after "(c)" insert "Starting July 1, 2024," and after "results" insert "and
2.5 remediation activities"

2.6 Page 3, line 2, after "commissioner" insert "in consultation with school districts and
2.7 charter schools, by July 1 of each year" and delete everything after the period

2.8 Page 3, delete line 3

2.9 Page 3, line 4, delete "report its remediation efforts."

2.10 Page 3, after line 5, insert:

2.11 "(d) A district or charter school must maintain a record of lead testing results and
2.12 remediation activities for at least 15 years."

2.13 Page 3, delete subdivision 6 and insert:

2.14 "Subd. 6. **Public water system.** (a) A district or charter school is not financially
2.15 responsible for remediation of documented elevated lead levels in drinking water caused
2.16 by the presence of lead infrastructure owned by a public water supply utility providing water
2.17 to the school facility, such as lead service lines, meters, galvanized service lines downstream
2.18 of lead, or lead connectors. The district or charter school must communicate with the public
2.19 water system regarding its documented significant contribution to lead contamination in
2.20 school drinking water and request from the public water system a plan for reducing the lead
2.21 contamination.

2.22 "(b) If the infrastructure is jointly owned by a district or charter school and a public water
2.23 supply utility, the district or charter school must attempt to coordinate any needed
2.24 replacements of lead service lines with the public water supply utility. Except in an
2.25 emergency, in performing remediation under this section, a district or charter school or a
2.26 public water supply must not perform a partial replacement of a lead service line. For
2.27 purposes of this paragraph, "partial replacement" means replacing a portion of a service
2.28 line without replacing the entire service line.

2.29 "(c) A district or charter school may defer its remediation activities under this section
2.30 until after the elevated lead level in the public water system's infrastructure is remediated
2.31 and postremediation testing does not detect an elevated lead level in the drinking water that
2.32 passes through that infrastructure. A district or charter school may also defer its remediation

3.1 activities if the public water supply exceeds the federal Safe Drinking Water Act lead action
3.2 level or is in violation of the Safe Drinking Water Act Lead and Copper Rule."

3.3 Page 3, line 20, delete everything after "section"

3.4 Page 3, line 21, delete "remediation"

3.5 Page 4, line 26, delete "approved"

3.6 Page 4, line 27, delete "by the commissioner of health"

3.7 Page 7, line 5, delete "grants to"

3.8 Page 7, line 6, delete "American Indian Tribal contract schools for"

3.9 Page 7, line 7, delete "....." and insert "263,000"

3.10 Page 7, line 8, delete "....." and insert "514,000"

3.11 Page 7, line 9, after "(b)" insert "Of the amounts in paragraph (a), for fiscal year 2025,
3.12 \$200,000 is for grants to American Indian Tribal contract schools for lead remediation
3.13 activities."

3.14 Page 7, line 15, delete "\$....." and insert "\$514,000, of which \$200,000 per year is for
3.15 grants to American Indian Tribal contract schools for lead remediation activities"

3.16 Page 7, after line 15, insert:

3.17 "Subd. 3. **Additional long-term facilities maintenance revenue.** (a) For additional
3.18 long-term facilities maintenance aid under Minnesota Statutes, section 123B.595, subdivision
3.19 2, for the purposes of lead remediation:

3.20 \$ 1,530,000 2024

3.21 \$ 425,000 2025

3.22 (b) The 2024 appropriation includes \$0 for 2023 and \$1,530,000 for 2024.

3.23 (c) The 2025 appropriation includes \$255,000 for 2024 and \$170,000 for 2023."

3.24 Renumber the subdivisions in sequence

3.25 And when so amended the bill do pass and be re-referred to the Committee on Health
3.26 and Human Services. Amendments adopted. Report adopted.

3.27 
3.28 (Committee Chair)

4.1 March 9, 2023.....

4.2 (Date of Committee recommendation)