

**File Number:** H.F. 3824  
**Version:** Second engrossment

**Date:** March 30, 2018

**Authors:** Torkelson

**Subject:** Wells and borings

**Analyst:** Elisabeth Klarqvist

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/](http://www.house.mn/hrd/).

### Overview

This bill modifies provisions governing wells and borings, including defining the term temporary boring, providing that notification to the commissioner is not required before constructing or sealing a temporary boring, exempting temporary borings from notice requirements during sales of property, modifying timelines for reporting work to the commissioner, and allowing a temporary boring to be constructed, repaired, or sealed by certain professionals.

#### Section

- 1 Boring.** Amends § 103I.005, subd. 2. Amends the definition of boring in chapter 103I (which covers wells, borings, and underground uses), to specify it includes temporary borings.
- 2 Temporary boring.** Amends § 103I.005, subd. 17a. Defines temporary boring for chapter 103I. This term will be used instead of temporary environmental well.
- 3 Notification required.** Amends § 103I.205, subd. 1. Provides that a person is not required to notify the commissioner before constructing a temporary boring (instead of temporary environmental well as in current law).
- 4 License required.** Amends § 103I.205, subd. 4. Allows a person who is a professional engineer, hydrologist or hydrogeologist, professional geoscientist, or geologist, or who meets qualifications in rule, to construct, repair, and seal a temporary boring. Removes language authorizing a licensed plumber who does not have a well or boring contractor's license under chapter 103I to repair submersible pumps or water pipes connected to well water systems if

**Section**

the repair location is in an area with no licensed well contractors within 50 miles, provided the plumber complies with the plumbing code.

- 5       **Report of work.** Amends § 103I.205, subd. 9. Modifies the deadline for submitting a report to the commissioner of health related to well or boring construction or sealing to within 90 days, rather than 30 days, of completing the work.
- 6       **Well notification fee.** Amends § 103I.208, subd. 1. Makes an existing \$75 fee apply to the sealing of borings, and exempts temporary borings less than 25 feet in depth from the notification and fee requirements in chapter 103I. Changes a term used, from temporary environmental well to temporary boring.
- 7       **Temporary boring and unsuccessful well exemption.** Amends § 103I.235, subd. 3. Exempts temporary borings that were sealed by a licensed contractor (rather than temporary environmental wells as in current law), from requirements to disclose to a buyer the location of wells on the property.
- 8       **Notification required.** Amends § 103I.301, subd. 6. Prohibits a person from sealing a boring until a notification is filed with the commissioner, except that temporary borings less than 25 feet in depth are exempt from this notification requirement.
- 9       **Rulemaking; well and boring records.** Directs the commissioner of health to amend rules to modify the deadline for submitting a report to the commissioner related to well or boring construction or sealing to within 90 days, rather than 30 days, of completing the work. Authorizes use of the good cause exemption.