

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE **S.F. No. 956**

(SENATE AUTHORS: OLSON, Hall, Kelash and Limmer)

DATE	D-PG	OFFICIAL STATUS
03/21/2011	604	Introduction and first reading Referred to Local Government and Elections
05/02/2011	1601a	Comm report: To pass as amended
	1604	Second reading
05/23/2011	3600	Rule 47, returned to Local Government and Elections
02/15/2012	3807a	Comm report: To pass as amended
	3812	Second reading
	3824	Author added Limmer

1.1 A bill for an act
1.2 relating to local government; terminating Hennepin County Soil And Water
1.3 Conservation District and transferring certain duties; proposing coding for new
1.4 law in Minnesota Statutes, chapter 383B.

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

1.6 Section 1. **[383B.76] TERMINATION OF HENNEPIN COUNTY SOIL AND**
1.7 **WATER CONSERVATION DISTRICT.**

1.8 Subdivision 1. **Termination.** Notwithstanding section 103C.225, the Hennepin
1.9 County Soil and Water Conservation District is terminated effective December 31, 2011.

1.10 Subd. 2. **Transfer of duties.** Effective January 1, 2012, the powers and duties of
1.11 the district regarding the Wetland Conservation Act as established in statutes and rules
1.12 on the effective date of this act, and as these statutes and rules may be amended, are
1.13 transferred to Hennepin County.

1.14 Subd. 3. **Continuation plan.** Commencing July 1, 2011, the Board of Water and
1.15 Soil Resources shall facilitate the preparation of a plan to continue the administration of
1.16 the remaining powers, duties, and responsibilities of the district.

1.17 Subd. 4. **Certification of termination.** Upon completion of the plan and no
1.18 later than September 1, 2011, the Board of Water and Soil Resources shall certify the
1.19 termination to the district board.

1.20 Subd. 5. **District board duties.** Upon receipt of the certification of termination, the
1.21 district board shall promptly terminate the affairs of the district. The district board shall
1.22 file an application with the secretary of state to discontinue the district within 60 days of
1.23 the receipt of the certification of termination. The application shall cite the certificate of

2.1 termination, affirm that all property and funds of the district have been properly disposed
2.2 of, and include a full accounting of the disposal of property and funds.

2.3 Subd. 6. **Certificate of dissolution.** The secretary of state shall issue to the district
2.4 board a certificate of dissolution and record the certificate in the secretary of state's office.

2.5 Subd. 7. **Effect of dissolution.** Upon issuance of the certificate of dissolution, any
2.6 ordinances and regulations adopted by the district have no further force and effect. All
2.7 contracts entered into, to which the district or district board were parties, shall remain in
2.8 force and effect for the period provided in the contracts. The Board of Water and Soil
2.9 Resources shall be substituted for the district or district board as party to the contracts
2.10 and succeed to the district's rights and duties. The Board of Water and Soil Resources
2.11 may delegate the district's rights and duties to a local government unit, as identified in
2.12 the plan developed under subdivision 3.

2.13 Sec. 2. **EFFECTIVE DATE; LOCAL APPROVAL.**

2.14 Section 1 is effective the day after the governing body of Hennepin County and its
2.15 chief clerical officer timely complete their compliance with Minnesota Statutes, section
2.16 645.021, subdivisions 2 and 3.