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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 998

02/18/2015 Authored by Sundin, Simonson, Anzelc, Rarick, Metsa and others

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; providing for audits and reviews of soil and water
1.3 conservation districts; amending Minnesota Statutes 2014, sections 103C.331,
1.4 subdivision 16; 103C.401, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2014, section 103C.331, subdivision 16, is amended to
1.7 read:

1.8 Subd. 16. **Budget.** (a) The district board shall annually present a budget consisting
1.9 of an itemized statement of district expenses for the ensuing calendar year to the boards of
1.10 county commissioners of the counties in which the district is located. The county boards
1.11 ~~may~~ must levy an annual tax on all taxable real property in the district for the amount ~~that~~
1.12 ~~the boards determine is necessary to meet the requirements of the district~~ presented in the
1.13 budget. The amount levied shall be collected and distributed to the district as prescribed
1.14 by chapter 276. The amount may be spent by the district board for a district purpose
1.15 authorized by law.

1.16 (b) A county board of commissioners may appeal the budget amount submitted
1.17 under paragraph (a) to the state board if the county board believes that the funding level
1.18 exceeds the amount necessary to comply with statewide programs and policies or that the
1.19 district is not complying with statewide programs and policies.

1.20 Sec. 2. Minnesota Statutes 2014, section 103C.401, subdivision 1, is amended to read:

1.21 Subdivision 1. **Powers and duties.** In addition to the powers and duties of the state
1.22 board provided by other law, the state board shall:

1.23 (1) offer to assist the district boards to implement their programs;

2.1 (2) keep the district boards of the state informed of the activities and experience of
2.2 other districts and facilitate cooperation and an interchange of advice and experience
2.3 among the districts;

2.4 (3) coordinate the programs and activities of the districts with appropriate agencies
2.5 by advice and consultation;

2.6 (4) approve or disapprove the plans or programs of districts relating to the use of
2.7 state funds administered by the state board;

2.8 (5) secure the cooperation and assistance of agencies in the work of the districts
2.9 and develop a program to advise and assist appropriate agencies in obtaining state and
2.10 federal funds for erosion, sedimentation, flooding, and agriculturally related pollution
2.11 control programs;

2.12 (6) develop and implement a public information program concerning the districts'
2.13 activities and programs, the problems and preventive practices relating to erosion control,
2.14 sedimentation, agriculturally related pollution, flood prevention, and the advantages of
2.15 formation of districts in areas where their organization is desirable;

2.16 (7) consolidate districts without a hearing or a referendum;

2.17 (8) assist the statewide program to inventory and classify the types of soils in the
2.18 state as determined by the Minnesota Cooperative Soil Survey;

2.19 (9) identify research needs and cooperate with other public agencies in research
2.20 concerning the nature and extent of erosion, sedimentation, flooding and agriculturally
2.21 related pollution, the amounts and sources of sediment and pollutants delivered to the
2.22 waters of the state, and long-term soil productivity;

2.23 (10) develop structural, land use management practice, and other programs to reduce
2.24 or prevent soil erosion, sedimentation, flooding, and agriculturally related pollution;

2.25 (11) develop a system of priorities to identify the erosion, flooding, sediment, and
2.26 agriculturally related pollution problem areas that most need control systems;

2.27 (12) ensure compliance with statewide programs and policies established by the state
2.28 board by advice, consultation, and approval of grant agreements with the districts; ~~and~~

2.29 (13) service requests from districts to consolidate districts across county boundaries
2.30 and facilitate other agreed-to reorganizations of districts with other districts or other local
2.31 units of government, including making grants, within the limits of available funds, to
2.32 offset the cost of consolidation or reorganization;

2.33 (14) audit district budgets upon appeals of county boards of commissioners
2.34 involving excessive budget requests under section 103C.331, subdivision 16. An audit
2.35 must determine whether adequate funding is available for the district to comply with
2.36 statewide programs and policies. If the audit determines that the budget amount exceeds

3.1 the amount necessary to comply with statewide programs and policies, the state board
3.2 must reduce the budget amount; and

3.3 (15) review appeals of county boards of commissioners involving noncomplying
3.4 districts under section 103C.331, subdivision 16. If a review determines that a district is
3.5 not in compliance with statewide programs and policies, the state board must develop a
3.6 plan with the district to ensure compliance with statewide programs and policies.