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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2434

- 02/27/2014 Authored by Woodard  
The bill was read for the first time and referred to the Committee on Government Operations
- 03/27/2014 Adoption of Report: Amended and re-referred to the Committee on Taxes
- 04/03/2014 Adoption of Report: Placed on the General Register  
Read Second Time

1.1 A bill for an act  
 1.2 relating to local government; increasing the maximum number of connections  
 1.3 allowed for the Cedar Lake area water and sanitary sewer district; authorizing  
 1.4 Helena Township in Scott County to use surplus land, property, or money for  
 1.5 certain purposes after removal of a subordinate service district; amending Laws  
 1.6 1999, chapter 243, article 14, section 5, subdivision 1.

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

1.8 Section 1. Laws 1999, chapter 243, article 14, section 5, subdivision 1, is amended to  
 1.9 read:

1.10 Subdivision 1. **Board plan and program.** The board shall adopt a comprehensive  
 1.11 plan for the collection, treatment, and disposal of sewage in the district for a designated  
 1.12 period the board deems proper and reasonable. The board shall prepare and adopt  
 1.13 subsequent comprehensive plans for the collection, treatment, and disposal of sewage  
 1.14 in the district for each succeeding designated period as the board deems proper and  
 1.15 reasonable. All comprehensive plans of the district shall be subject to the planning  
 1.16 and zoning authority of Scott county and in conformance with all planning and zoning  
 1.17 ordinances of Scott county. The first plan, as modified by the board, and any subsequent  
 1.18 plan shall take into account the preservation and best and most economic use of water and  
 1.19 other natural resources in the area; the preservation, use, and potential for use of lands  
 1.20 adjoining waters of the state to be used for the disposal of sewage; and the impact the  
 1.21 disposal system will have on present and future land use in the area affected. In no case  
 1.22 shall the comprehensive plan provide for more than ~~325~~ 364 connections to the disposal  
 1.23 system. All connections must be charged a full assessment. Connections made after the  
 1.24 initial assessment period ends must be charged an amount equal to the initial assessment  
 1.25 plus an adjustment for inflation and plus any other charges determined to be reasonable

2.1 and necessary by the board. Deferred assessments may be permitted, as provided for in  
2.2 Minnesota Statutes, chapter 429. The plans shall include the general location of needed  
2.3 interceptors and treatment works, a description of the area that is to be served by the  
2.4 various interceptors and treatment works, a long-range capital improvements program, and  
2.5 any other details as the board deems appropriate. In developing the plans, the board shall  
2.6 consult with persons designated for the purpose by governing bodies of any governmental  
2.7 unit within the district to represent the entities and shall consider the data, resources, and  
2.8 input offered to the board by the entities and any planning agency acting on behalf of one  
2.9 or more of the entities. Each plan, when adopted, must be followed in the district and may  
2.10 be revised as often as the board deems necessary.

2.11 **EFFECTIVE DATE.** This section is effective the day after the governing body of  
2.12 the Cedar Lake area water and sanitary sewer district and its chief clerical officer timely  
2.13 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

2.14 Sec. 2. **HELENA TOWNSHIP, SCOTT COUNTY; REMOVAL OF**  
2.15 **SUBORDINATE SERVICE DISTRICT.**

2.16 Subdivision 1. **Application.** This section applies to the subordinate service district  
2.17 established in Helena Township, Scott County, for the Silver Maple Bay Estates, under  
2.18 Minnesota Statutes, chapter 365A.

2.19 Subd. 2. **Special provision for removal of the district.** Notwithstanding the  
2.20 requirements of Minnesota Statutes, section 365A.095, subdivision 2, if the district is  
2.21 removed as provided in Minnesota Statutes, section 365A.095, subdivision 1, after all  
2.22 outstanding obligations of the district have been paid in full, the town board may vote to  
2.23 sell or use the surplus of any land or equipment, or the surplus of any tax revenue or service  
2.24 charge, or any part of it, collected from or associated with the district to connect the owners  
2.25 of any property within the discontinued district to another public sewer system. Any  
2.26 surplus not used to connect residents to such sewer system may be distributed equally to  
2.27 the owners of any property within the discontinued district that were charged the extra tax  
2.28 or service fee during the most recent tax year for which the tax or service fee was imposed.  
2.29 Any surplus not refunded under this section must be transferred to the town's general fund.

2.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.