

## 115.74 WATER POLLUTION CONTROL

Minnesota pollution control agency shall be responsible for maintaining records relating to certification of wastewater treatment facility operators.

Subd. 4. The board shall cause at least one examination to be held each year for the purpose of examining candidates for certification at a time and place designated by the board. Those applicants whose competency is acceptable to the board shall be recommended to the secretary or the director for certification. Additional meetings may be called by the chairman as may be necessary to carry out the provisions of sections 115.71 to 115.82. Four members shall constitute a quorum.

[1975 c 136 s 74; 1975 c 271 s 5]

## CHAPTER 116. POLLUTION CONTROL AGENCY

Sec.  
116.18 Water pollution control funds; appropriations and bonds.

### 116.18 Water pollution control funds; appropriations and bonds.

**Subdivision 1. Appropriation from the fund.** The sum of \$95,000,000, or so much thereof as may be necessary, is appropriated from the Minnesota state water pollution control fund in the state treasury to the pollution control agency, for the period commencing on July 23, 1971 and ending June 30, 1977, to be granted and disbursed to municipalities and agencies of the state in aid of the construction of projects conforming to section 116.16, in accordance with the rules, priorities, and criteria therein described. Except as otherwise provided in subdivision 2, these state funds shall be expended at 15 per centum of the eligible cost of construction and shall be expended only for projects tendered a grant of federal funds under section 201(g), section 202, section 203 or section 206(f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq., at 75 per centum of the eligible cost for construction of the treatment works; provided, that not less than 10 percent of such cost shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered such federal and state grants in a percentage cumulatively exceeding 90 per centum of the eligible cost of construction, the state pollution control agency shall reduce the grant to such municipality under this chapter to the extent necessary to assure that not less than 10 percent of such cost shall be paid by said municipality. It is the purpose of this appropriation that a grant of state funds for each project approved in each of the fiscal years ending June 30, 1971 through 1977, shall be made in an amount not less than that required in federal law and regulations as a condition for the grant of federal funds for the project and for all other water pollution control projects for which federal grants are allocated in the same year, in the maximum amount permissible under such law and regulations.

Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding 25 per centum to a municipality that would qualify for a grant of federal funds but desires to initiate construction of a project without a federal grant where such project is necessary to abate an immediate health hazard. The agency may limit the scope and eligible cost of such project.

[For text of subd 2, see M.S.1974]

**Subd. 4. Bond authorization.** For the purpose of providing money appropriated in subdivision 1 for expenditure from the Minnesota state water pollution control fund through grants to municipalities and agencies of the state for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the prevention, control, and abatement of water pollution, the commissioner of finance is authorized upon request of the pollution control agency to sell and issue Minnesota state water pollution control bonds

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in the amount of \$84,000,000, in the manner and upon the conditions prescribed in section 116.17 and in the Constitution, Article IX, Section 6. The proceeds of such bonds, except as provided in section 116.17, subdivision 5, are appropriated and shall be credited to the Minnesota state water pollution control fund. The amount of bonds issued pursuant to this authorization shall not exceed at any time the amount needed to produce a balance in the water pollution control fund equal to the aggregate amount of grants then approved and not previously disbursed, plus the amount of such grants to be approved in the current and the following fiscal year, as estimated by the pollution control agency.

[1975 c 354 s 1,2]

[For text of subds 5 and 6, see M.S.1974]

### CHAPTER 116A. PUBLIC WATER AND SEWER SYSTEMS

Sec.		Sec.	
116A.01	Powers of county boards and of district courts.	116A.19	Appeals.
116A.02	Petition.	116A.20	Bond issues.
116A.12	Second hearing.	116A.24	Appointment and powers of water and sewer commission.

#### 116A.01 Powers of county boards and of district courts.

[For text of subd 1, see M.S.1974]

**Subd. 1a. Operating under municipal authorization.** Any county board that has established a water or sewer system or combined water and sewer system under the provisions of this chapter, or that has formed a district under the provisions of section 116A.02, subdivision 3, may operate the system under and exercise all the rights and authority and perform all the duties of a municipality under chapters 117, 412, 429 and 475 and sections 115.46, 444.075 and 471.59, instead of this chapter, upon the filing by the county board, in the office of the clerk of district court of the county, a petition to the court asking that the county board be granted such authority. The clerk of district court, as directed by the judge, shall thereupon fix a time and place for hearing upon the petition. Notice of the hearing shall be given by publication for two successive weeks in a newspaper published in the county. The clerk of district court shall give written notice of the hearing to the Minnesota pollution control agency. If at the hearing the court finds that it is for the best interests of the county board to be granted such authority, it may by order grant such petition. Thereafter the county board may acquire, construct, finance, operate and maintain the water or sewer system or combined water and sewer system in the same manner and to the same extent accorded a municipality under chapters 117, 412, 429 and 475 and sections 115.46, 444.075 and 471.59.

[For text of subds 2 and 3, see M.S.1974]

**Subd. 4. Area to be served.** The area to be served by any public water or sewer or combined system may include any part or all of the area of any city which by resolution of its governing body requests that its facilities be connected to the system, or that all or any part of the area within its corporate limits be included in the area to be served by the system. For the purpose of any petition filed or special assessment levied with respect to any system, the entire area to be served within any city shall be treated as if it were owned by a single person, provided that in any event mailed notice of all hearings required under this chapter shall also be sent to the actual owners of such property to the same extent and in the same manner provided for owners of property located in an area to be served by the system outside of any city, and the