

CHAPTER 473

METROPOLITAN GOVERNMENT

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473.141 MEMBERSHIP, PROCEDURES, OFFICERS AND EMPLOYEES OF METROPOLITAN AGENCIES.

[For text of subd 1, see M.S.1986]

Subd. 2. **Membership; appointments.** (a) Each agency consists of eight members, plus a chair appointed as provided in subdivision 3. The metropolitan council shall appoint the eight members on a nonpartisan basis after consultation with the members of the legislature from the district for which the member is to be appointed. The consultation with legislators in the affected district must include informing each legislator of the name, address, and background of each candidate for appointment and soliciting and reporting to the appointments committee the recommendation of each legislator on the appointment.

(b) In addition to the notice required in section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The council shall notify in writing the governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which the member is to be appointed. The notices must describe the appointment process and invite participation and recommendations on the appointment.

(c) The council shall establish an appointments committee, composed of members of the council, to screen and review candidates. Following the submission of member applications to the metropolitan council as provided under section 15.0597, subdivision 5, the appointments committee shall conduct public meetings, following appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may

consolidate meetings. Following the meetings, the committee shall submit to the council a written report that lists the persons who have applied or been nominated or recommended for the position, along with a description of the background and qualifications of each. In making its recommendation, the committee specifically shall consider evidence of the candidate's commitment to regularly communicate on issues before the agency with metropolitan council members, legislators and local elected officials in the district, and the committee shall report its findings on this subject in its written report to the council.

(d) One member shall be appointed from each of the following agency districts:

- (1) district A, consisting of council districts 1 and 2;
- (2) district B, consisting of council districts 3 and 7;
- (3) district C, consisting of council districts 4 and 5;
- (4) district D, consisting of council districts 6 and 10;
- (5) district E, consisting of council districts 8 and 9;
- (6) district F, consisting of council districts 11 and 12;
- (7) district G, consisting of council districts 13 and 14; and
- (8) district H, consisting of council districts 15 and 16.

[For text of subd 3, see M.S.1986]

Subd. 3a. Members; duties. Each member shall communicate regularly with metropolitan council members, legislators, and local government officials in the district the member represents.

[For text of subds 4 to 14, see M.S.1986]

History: 1987 c 278 s 1,2

473.149 SOLID WASTE COMPREHENSIVE PLANNING.

[For text of subds 1 to 2c, see M.S.1986]

Subd. 2d. Land disposal abatement plan. By January 1, 1985, after considering any county land disposal abatement proposals and waste stream analysis that have been submitted by that date, pursuant to section 473.803, subdivision 1b, the council shall amend its policy plan to include specific and quantifiable metropolitan objectives for abating to the greatest feasible and prudent extent the need for and practice of land disposal of mixed municipal solid waste and of specific components of the solid waste stream, either by type of waste or class of generator. The objectives must be stated in annual increments through the year 1990 and thereafter in five-year increments through the year 2000. The plan must include a reduced estimate, based on the council's abatement objectives, of the added solid waste disposal capacity needed in appropriate sectors of the metropolitan area, stated in annual increments through the year 1990 and thereafter in five year increments through the year 2000. The plan must include measurable objectives for local abatement of solid waste through resource recovery and waste reduction and separation programs and activities for each metropolitan county and for cities of the first class, the second class, and the third class, respectively, stated in annual increments through the year 1990 and in five-year increments through the year 2000. The standards must be based upon and implement the council's metropolitan abatement objectives. The council's plan must include standards and procedures to be used by the council in determining whether a metropolitan county or class of cities within a metropolitan county has implemented the council's metropolitan land disposal abatement plan and has achieved the objectives for local abatement.

[For text of subds 2e and 3, see M.S.1986]

Subd. 4. Advisory committee. The council shall establish an advisory committee to aid in the preparation of the policy plan, the performance of the council's responsi-

bilities under subdivisions 2 to 2e, the review of county master plans and reports and applications for permits for waste facilities, under sections 473.151, 473.801 to 473.823, 473.831, and 473.833, and other duties determined by the council. The committee shall consist of one-third citizen representatives, one-third representatives from metropolitan counties and municipalities, and one-third representatives from private waste management firms. From at least the date that the council adopts the inventory under subdivision 2b to the date that the council adopts a development schedule under subdivision 2e, for the purpose only of participating in the preparation of the legislative report required by subdivision 2c, the land disposal abatement plan required by subdivision 2d, and the development schedule required by subdivision 2e, additional members shall be included on the advisory committee sufficient to assure that at least one-third of the members of the committee are residents of cities or towns containing eligible solid waste disposal sites included in the council's disposal site inventory, and that counties containing three sites have at least two additional members and counties containing one or two sites have at least one additional member. A representative from the pollution control agency, one from the waste management board established under section 115A.04, and one from the Minnesota health department shall serve as ex officio members of the committee.

[For text of subd 5, see M.S.1986]

Subd. 6. Report to legislature. The council shall report on abatement to the legislative commission on waste management by November 1 of each year. The report must include an assessment of whether the objectives of the metropolitan abatement plan have been met and whether each county and each class of city within each county have achieved the objectives set for it in the council's plan. The report must recommend any legislation that may be required to implement the plan. If in any year the council reports that the objectives of the council's abatement plan have not been met, the council shall evaluate and report on the need to reassign governmental responsibilities among cities, counties, and metropolitan agencies to assure implementation and achievement of the metropolitan and local abatement plans and objectives.

The report in each even-numbered year must include a report on the operating, capital, and debt service costs of solid waste facilities in the metropolitan area; changes in the costs; the methods used to pay the costs; and the resultant allocation of costs among users of the facilities and the general public. The facility costs report must present the cost and financing analysis in the aggregate and broken down by county and by major facility.

History: 1987 c 348 s 39,40; 1987 c 384 art 2 s 101

473.161 IMPLEMENTATION PLANS OF METROPOLITAN AGENCIES.

[For text of subds 1a and 1b, see M.S.1986]

Subd. 1c. Services and systems management. The plan must include a services and systems management component that describes the levels and costs of services that will be provided to service areas and populations within the metropolitan area. The component must describe: (1) service needs, objectives, and priorities; (2) changes in existing services; (3) deployment of new services; (4) distribution and coordination of services; (5) timing, priority, and location, with maps, of service areas, routes, levels of service, and similar matters, as appropriate to the type of service; (6) delivery methods and providers; (7) system management and administration; (8) costs; (9) manner of finance and revenue sources, including federal and state funds, private funds, taxes, and user charges; and (10) fiscal effects.

[For text of subds 1d to 3, see M.S.1986]

History: 1987 c 278 s 3

473.1623 METROPOLITAN COUNCIL; METROPOLITAN AGENCIES; FINANCIAL REPORTING AND MANAGEMENT.*[For text of subd 1, see M.S.1986]*

Subd. 2. Financial reporting and management advisory committee. A financial reporting and management advisory committee is created, consisting of the chairs of the council and the following metropolitan agencies: the waste control commission, transit board, transit commission, metropolitan airports commission, and sports facilities commission. The committee is established to assist and advise the council and other governing boards in meeting the requirements of this section. Staff and administrative services for the committee must be provided by the council and the member agencies. Other agencies shall make financial information available upon request.

[For text of subd 3, see M.S.1986]

Subd. 4. Financial reporting; budgeting. (a) The advisory committee, with the assistance of the state auditor and the legislative auditor, shall develop uniform or consistent standards, formats, and procedures for the budgets and financial reports of the council and all metropolitan agencies. The council shall report to the legislature from time to time on progress made by the committee in improving the uniformity and quality of budgets and financial reports and on legislation that may be needed for this purpose.

(b) The council and each metropolitan agency shall prepare a summary budget for agency fiscal year 1988 and each year thereafter. The advisory committee, with the assistance of the state auditor and the legislative auditor, shall develop guidelines and models for the summary budgets. The purpose of the summary budget is to increase public knowledge and agency accountability by providing citizens outside of the agency with a condensed, accessible, and graphic description of the financial affairs of the agency. The document should contain a coherent, effectively communicated, understandable statement of: financial trends and forecasts; budget policies and policy changes; agency financial assumptions, objectives and plans; revenue sources and expenditures by program category; personnel policies, decisions, and allocation; budgetary performance measures; and similar matters serving the purpose of the document.

Subd. 5. Administrative coordination. The advisory committee shall evaluate the benefits, costs, methods, and effects, including operational effects, of joint or uniform and coordinated exercise of powers by the council and metropolitan agencies for appropriate administrative functions. The study must include at least ongoing managerial reporting, contracts, purchasing, data processing, and personnel. The council shall report to the legislature from time to time on the findings and recommendations of the advisory committee to date and on legal and other impediments to increased coordination of administrative functions. Before submitting the report, the council shall request comments on the report from the affected metropolitan agencies, and the comments must be submitted along with the report.

Subd. 6. Personnel and ethical practices; communication. By January 1, of each year, the council and each agency represented on the advisory committee established under this section shall report to the legislature on the following:

(1) agency personnel practices, including an analysis of trends, compliance with legal requirements, health care and other benefits, and salary levels in comparison with relevant job markets; and

(2) ethical practices requirements for board members and employees of each agency, including the sources of the requirements, agency comparisons, and comparison with requirements for state and local government officers and employees; and

(3) the activities undertaken by each agency board member and council member to regularly meet with and communicate with local officials and legislators in the member's district about issues before the agency or council.

History: 1987 c 278 s 4-7

473.169 LIGHT RAIL TRANSIT; DESIGN PLANS.

Subdivision 1. **Requirement.** Before constructing a light rail transit facility, the political subdivision proposing the facility must hold a public hearing on the preliminary design plans as provided in subdivision 2, and submit the preliminary and final design plans for review as provided in subdivisions 3 to 5. The design plans must include a plan for handicapped accessibility.

Subd. 2. **Preliminary design plans; public hearing.** Before preparing final design plans for a light rail transit facility, the political subdivision proposing the facility must hold a public hearing on the preliminary design plans. The proposer must provide appropriate public notice of the hearing and publicity to ensure that affected parties have an opportunity to present their views at the hearing.

Subd. 3. **Preliminary design plans; local approval.** At least 30 days before the hearing under subdivision 2, the proposer must submit the preliminary design plans to the governing body of each statutory and home rule charter city, county, and town in which the route is proposed to be located. The city, county, or town must hold a public hearing. Within 45 days after the hearing under subdivision 2, the city, county, or town must review and approve or disapprove the plans for the route to be located in the city, county, or town. Failure to approve or disapprove the plans in writing within 45 days after the hearing is deemed to be approval, unless an extension of time is agreed to by the city, county, or town and the proposer. If the preliminary design plans are approved by each city, county, and town in which the route is proposed to be located, the proposer may proceed with final design plans under subdivision 5.

Subd. 4. **Preliminary design plans; metropolitan council referral.** If the governing body of one or more cities, counties, or towns disapproves the preliminary design plans within the period allowed under subdivision 3, the proposer may refer the plans to the metropolitan council. The council must hold a hearing, giving the proposer and the disapproving local governmental units an opportunity to present the case for or against approval of the plans. The council may conduct independent study as it deems desirable and may mediate and attempt to resolve disagreements about the plans. Within 90 days after the referral, the council must either approve the plans as submitted by the proposer or recommend amended plans to accommodate the objections presented by the disapproving local governmental units. Failure to respond within the time period is deemed to be approval, unless an extension of time is agreed to by the council and the proposer. Following approval or recommendation of preliminary design plans by the council, the proposer may proceed with final design plans under subdivision 5.

Subd. 5. **Final design plans.** (a) After the approval of preliminary design plans under subdivision 3 or review by the council following referral to the council under subdivision 4, the proposer may prepare final design plans.

(b) Before proceeding with construction, the proposer must submit the final design plans to the governing body of each statutory and home rule city, county, and town in which the route is proposed to be located. Within 60 days after the submission of the plans, the city, county, or town must review and approve or disapprove the plans for the route located in the city, county, or town. Failure to approve or disapprove the plans in writing within the time period is deemed to be approval, unless an extension is agreed to by the city, county, or town and the proposer. If the final design plans are approved by each city, county, and town in which the route is proposed to be located, the proposer may proceed with construction on that route.

(c) If the governing body of one or more cities, counties, or towns disapproves the final design plans within the period allowed under paragraph (b), the proposer may refer the plans to the metropolitan council. The council must review the final design plans under the same procedure and with the same effect as provided in subdivision 4 for preliminary design plans. Following approval or recommendation of final design plans by the council, the proposer may proceed with construction.

Subd. 6. **County approval.** The proposer of a light rail transit facility in the metropolitan area must submit the preliminary and final design plans for the facility to the governing board of the county in which the route is proposed to be located for

approval or disapproval. The proposer of the facility may not proceed with construction of the facility without the approval of the county.

Subd. 7. Council review. Before proceeding with construction of a light rail transit facility, a regional rail authority established under chapter 398A must submit preliminary and final design plans to the metropolitan council. The council must review the plans for consistency with the council's development guide and comment on the plans.

Subd. 8. Metropolitan significance. This section does not diminish or replace the authority of the council under section 473.173.

History: 1987 c 405 s 2

473.17 COOPERATION IN LIGHT RAIL TRANSIT.

Notwithstanding section 473.398, the metropolitan council may cooperate with regional rail authorities in the study, planning, and design of regional rail authority light rail transit systems, and the metropolitan transit commission may cooperate with regional rail authorities in the operational planning and operation of regional rail authority light rail transit systems.

History: 1987 c 405 s 3

473.181 ADDITIONAL COUNCIL REVIEW POWERS.

[For text of subds 1 and 2, see M.S.1986]

Subd. 3. Metropolitan transit commission. The council shall review acquisition of public transit systems and the issuance of revenue bonds by the metropolitan transit commission pursuant to section 473.405, subdivision 5.

[For text of subds 4 and 5, see M.S.1986]

History: 1987 c 384 art 2 s 102

473.192 AIRCRAFT NOISE ATTENUATION.

Subdivision 1. Citation. This section may be cited as the "metropolitan area aircraft noise attenuation act."

Subd. 2. Definitions. For purposes of this section, "metropolitan area" has the meaning given it in section 473.121, subdivision 2. "Aviation policy plan" means the plan adopted by the metropolitan council pursuant to section 473.145. "Municipality" has the meaning provided by section 462.352, subdivision 2.

Subd. 3. Ordinance. A municipality in the metropolitan area that, in part or in whole, is within the aircraft noise zones designated in the aviation policy plan may adopt and enforce ordinances and controls to regulate building construction methods and materials for the purpose of attenuating aircraft noise in habitable buildings in and around the noise zone. The ordinance or control shall not apply to remodeling or rehabilitating an existing residential building nor to the construction of an appurtenance to an existing residential building. An ordinance adopted by a municipality must be adequate to implement the metropolitan council's guidelines for land use compatibility with aircraft noise. Section 16B.62 does not apply to ordinances adopted under this section.

Subd. 4. Metropolitan airports commission; noise abatement. Nothing in this section shall be construed to diminish the responsibility of the metropolitan airports commission to conduct noise abatement programs under section 473.612 or any other state or federal law.

History: 1987 c 155 s 1

473.195 POWERS.

Subdivision 1. In addition to, and not in limitation of, all other powers invested in it by law, the council, and the members thereof, shall have, throughout the metropoli-

tan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. The provisions of sections 469.001 to 469.047 and of all other laws relating to housing and redevelopment authorities shall be applicable to the council when functioning as an authority, except as herein provided or as clearly indicated otherwise from the context of such laws. Section 469.003 shall have no application to the council nor to any municipality or county within which the council undertakes a project. Any municipality or county, and the governing bodies of any municipality or county, within and for which the council undertakes a project shall have all the powers, authority and obligations granted to municipalities and counties by the provisions of sections 469.001 to 469.047 and all other laws relating to housing and redevelopment authorities. The council may plan and propose projects within the boundaries of any municipality, and may otherwise exercise the powers of an authority at any time; provided, however, that the council shall not implement any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality or county without the prior approval of the governing body of the municipality or county in which any such project is to be located; and provided further that the council shall not propose any project to the governing body of a municipality or county having an active authority created pursuant to section 469.003, or pursuant to special legislation, without first submitting the proposed project to the municipal or county authority for its review and recommendations; and provided further that as to any project proposed by the council and approved by the municipality or county, the council shall not undertake the project if within 60 days after it has been proposed, the municipality or county agrees to undertake the project. All plans and projects of the council shall be consistent with the comprehensive development guide.

[For text of subds 2 to 4, see M.S.1986]

History: 1987 c 291 s 227

473.201 FINANCES.

Subdivision 1. The council shall allocate the net unreimbursed costs of any project which it undertakes to the municipality or group of municipalities or county for which the project is undertaken. The governing body of each such municipality or county shall impose taxes or other revenue measures to provide funds necessary to pay the allocated costs, and the governing body of each such municipality or county shall have all the powers, authority and obligation granted to authorities by section 469.033 and all other provisions of law regarding the financing of such projects, provided that the council shall have the powers of an authority for purposes of applying for and receiving federal grants in connection with all projects which it undertakes.

[For text of subd 2, see M.S.1986]

History: 1987 c 291 s 228

473.247 METROPOLITAN AGENCIES; PUBLIC INFORMATION.

The council shall publish a consolidated metropolitan bulletin or register containing official notices, meeting and hearing schedules, notices of adopted ordinances, rules, policies, and similar matters for the council and all metropolitan agencies. Metropolitan agencies shall cooperate with the council in providing timely information for publication.

History: 1987 c 278 s 9

473.303 METROPOLITAN PARKS AND OPEN SPACE COMMISSION.

[For text of subds 1 to 3, see M.S.1986]

Subd. 3a. **Members; duties.** Members have the duties imposed by section 473.141, subdivision 3a.

[For text of subds 4 to 6, see M.S.1986]

History: 1987 c 278 s 10

473.351 METROPOLITAN AREA REGIONAL PARKS FUNDING.

[For text of subds 1 to 4, see M.S.1986]

Subd. 5. [Repealed, 1987 c 404 s 191]

Subd. 6. **Restriction.** A metropolitan area regional park receiving grant money for maintenance and operation costs must agree:

(1) to sell or promote licenses, passes, or registrations required to engage in recreational activities appropriate to the park or the site of the park when a building on the park site is staffed and open to the public; and

(2) to provide drinking water supplies adequate for the recreational uses of the park. Each implementing agency must consult with groups representing users of its parks to determine the adequacy of drinking water supplies.

History: 1987 c 404 s 177

473.373 REGIONAL TRANSIT BOARD.

[For text of subd 1, see M.S.1986]

Subd. 1a. **Purpose.** (a) The purposes of the board are:

(1) to foster effective delivery of existing transit services and encourage innovation in transit service;

(2) to prepare implementation and financial plans for the metropolitan transit system;

(3) to set policies and standards for implementing the transit policies and programs of the state and the transit policies of the metropolitan council in the metropolitan area;

(4) to conduct transit research and evaluation; and

(5) to administer state and metropolitan transit subsidies.

(b) The board shall arrange with others for the delivery and provision of transit services and facilities. The board shall avoid, to the greatest extent possible, direct operational planning, administration, and management of specific transit services and facilities.

[For text of subds 4 to 8, see M.S.1986]

History: 1987 c 278 s 11

473.377 IMPLEMENTATION PLAN.

Subdivision 1. **Requirement.** The transit board shall prepare, submit to the council, and adopt an implementation plan as provided in section 473.161. The services and systems management component of the board's plan must include a description of the special transportation service provided under section 473.386. The board shall prepare an implementation plan meeting the requirements of this section and submit the plan to the council by August 1, 1986, and thereafter at a time prescribed by the council.

Subd. 4. **Fare policy.** The plan must contain a statement of the policies that will govern the imposition of user charges for various types of transit service and the policies that will govern decisions by the board to change fare policy.

Subd. 5. **Local review and comment.** At least 30 days before holding the hearing required on the implementation plan or revision, the board shall submit copies of the plan or a summary of the plan to the chief administrative officer of each statutory and home rule charter city, town, and county in the metropolitan area, along with notice of the hearing and an invitation to testify and submit comments.

History: 1987 c 278 s 12-14

473.38 BUDGET; REGIONAL TRANSIT BOARD.*[For text of subd 1, see M.S.1986]*

Subd. 2. **Financial plan; council approval.** Along with its annual budget, each even-numbered year the board shall prepare a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must be consistent with the board's implementation plan and must contain the elements specified in section 473.1623, subdivision 3. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the board during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium. The board shall submit the financial plan to the council for review and approval or disapproval. The council may approve or disapprove in whole or in part. The council may disapprove only for inconsistency with the policy plan of the council.

*[For text of subd 3, see M.S.1986]***History:** 1987 c 278 s 15**473.386 SPECIAL TRANSPORTATION SERVICE.**

Subdivision 1. **Service objectives.** The transit board shall implement a special transportation service, as defined in section 174.29, in the metropolitan area. The service has the following objectives:

(a) to provide greater access to transportation for the elderly, handicapped, and others with special transportation needs in the metropolitan area;

(b) to develop an integrated system of special transportation service providing transportation tailored to meet special individual needs in the most cost-efficient manner; and

(c) to use existing public, private, and private nonprofit providers of service wherever possible, to supplement rather than replace existing service, and to increase the productivity of all special transportation vehicles available in the area.

Subd. 2. **Service contracts; management; advisory committee.** (a) The board shall contract for services necessary for the provision of special transportation. All transportation service must be provided under a contract between the board and the provider which specifies the service to be provided, the standards that must be met, and the rates for operating and providing special transportation services.

(b) The board shall establish management policies for the service but shall contract with a service administrator for day-to-day administration and management of the service. The contract must delegate to the service administrator clear authority to administer and manage the delivery of the service pursuant to board management policies and must establish performance and compliance standards for the service administrator.

(c) The board shall ensure that the service administrator establishes a system for registering and expeditiously responding to complaints by users, informing users of how to register complaints, and requiring providers to report on incidents that impair the safety and well-being of users or the quality of the service. The board shall annually report to the commissioner of transportation and the legislature on complaints and provider reports, the response of the service administrator, and steps taken by the board and the service administrator to identify causes and provide remedies to recurring problems.

(d) Within 90 days following August 1, 1987, the board shall hold a public hearing on standards for provider eligibility, selection, performance, compliance, and evaluation; the terms of provider contracts and the contract with the service administrator and related contract management policies and procedures of the board; fare policies; service areas, hours, standards, and procedures; and similar matters relating to implementation of the service. Each year before renewing contracts with providers and the

service administrator, the board shall provide an opportunity for the advisory committee, users, and other interested persons to testify before the board concerning providers, contract terms, and other matters relating to board policies and procedures for implementing the service.

(e) The board shall establish an advisory committee. The advisory committee must include elderly and handicapped persons, other users of special transportation service, representatives of persons contracting to provide special transportation services, and representatives of appropriate agencies for elderly and handicapped persons to advise the board on management policies for the service. At least half the committee members must be disabled or elderly persons or the representatives of disabled or elderly persons. Two of the appointments to the advisory committee shall be made by the state council for the handicapped in consultation with the chair of the regional transit board.

Subd. 3. Duties of board. In implementing the special transportation service, the board shall:

(a) encourage participation in the service by public, private, and private nonprofit providers of special transportation currently receiving capital or operating assistance from a public agency;

(b) contract with public, private, and private nonprofit providers that have demonstrated their ability to effectively provide service at a reasonable cost;

(c) encourage individuals using special transportation to use the type of service most appropriate to their particular needs;

(d) ensure that all persons providing special transportation service receive equitable treatment in the allocation of the ridership;

(e) encourage shared rides to the greatest extent practicable;

(f) encourage public agencies that provide transportation to eligible individuals as a component of human services and educational programs to coordinate with this service and to allow reimbursement for transportation provided through the service at rates that reflect the public cost of providing that transportation;

(g) establish criteria to be used in determining individual eligibility for special transportation services;

(h) consult with the advisory committee in a timely manner before changes are made in the provision of special transportation services, including, but not limited to, changes in policies affecting the matters subject to hearing under subdivision 2;

(i) provide for effective administration and enforcement of board policies and standards; and

(j) annually evaluate providers of special transportation service to ensure compliance with the standards established for the program.

Subd. 4. Coordination required. The board may not grant any financial assistance to any recipient that proposes to use any part of the grant to provide special transportation service in the metropolitan area unless the program is coordinated with the board's special transportation service in the manner determined by the board.

[For text of subd 5, see M.S.1986]

Subd. 6. Operating and service standards. A person operating or assisting the operation of a vehicle may leave the vehicle to enter premises in order to help a passenger who does not require emergency ambulance service. Operators and assistants shall provide the help necessary for door-through-door service, including help in entering and leaving the vehicle and help through the exterior entrance and over any exterior steps at either departure or destination buildings, provided that both the steps and the wheelchair are in good repair. If an operator or assistant refuses help because of the condition of the steps or the wheelchair, the operator of the service shall send letters to the service administrator designated by the board, who shall notify the person denied service describing the corrective measures necessary to qualify for service.

Subd. 7. [Repealed, 1987 c 88 s 13]

History: 1987 c 88 s 8-12

473.388 REPLACEMENT SERVICE PROGRAM.

[For text of subd 1, see M.S.1986]

Subd. 2. **Replacement service; eligibility.** The transit board may provide assistance under the program to a statutory or home rule charter city or town or combination thereof, that:

- (a) is located in the metropolitan transit taxing district;
- (b) is not served by the transit commission or is served only with transit commission bus routes which begin or end within the applying city or town or combination thereof; and
- (c) has fewer than four scheduled runs of metropolitan transit commission bus service during off-peak hours defined in section 473.408, subdivision 1.

Eligible cities or towns or combinations thereof may apply on behalf of a transit operator with whom they propose to contract for service.

The board may not provide assistance under this section to a statutory or home rule charter city or town unless the city or town,

(i) was receiving assistance under Minnesota Statutes 1982, section 174.265 by July 1, 1984,

(ii) had submitted an application for assistance under that section by July 1, 1984, or

(iii) had submitted a letter of intent to apply for assistance under that section by July 1, 1984, and submits an application for assistance under this section by July 1, 1988. A statutory or home rule charter city or town has an additional 12-month extension if it has notified the board before July 1, 1988, that the city or town is in the process of completing a transportation evaluation study that includes an assessment of the local transit needs of the city or town.

[For text of subds 3 to 6, see M.S.1986]

History: 1987 c 278 s 16

473.39 BORROWING MONEY.

Subdivision 1. **General authority.** The council, if requested by vote of at least two-thirds of all of the members of the transit board, may issue general obligation bonds subject to the volume limitation in subdivision 1a to provide funds to the board for expenditure to implement the board's approved implementation plan and may issue general obligation bonds not subject to the volume limitation set forth in subdivision 1a for the refunding of outstanding bonds or certificates of indebtedness of the council, the board or the commission, and judgments against the board or the commission. The council may not unreasonably withhold the issuance of obligations for an implementation plan that has been approved by the council. The council may not issue obligations pursuant to this subdivision, other than refunding bonds, in excess of the amount specifically authorized by law. Except as otherwise provided in sections 473.371 to 473.449, the council shall provide for the issuance, sale, and security of the bonds in the manner provided in chapter 475, and has the same powers and duties as a municipality issuing bonds under that law, except that no election is required and the net debt limitations in chapter 475 do not apply to the bonds. The obligations are not a debt of the state or any municipality or political subdivision within the meaning of any debt limitation or requirement pertaining to those entities. Neither the state, nor any municipality or political subdivision except the council and board, nor any member or officer or employee of the board or council, is liable on the obligations. The obligations may be secured by taxes levied without limitation of rate or amount upon all taxable property in the transit taxing district and transit area as provided in section

473.446, subdivision 1, clause (c). The council shall certify to the transit board before October 1 of each year the amounts necessary to provide full and timely payment of the obligations. As part of its levy made under section 473.446, subdivision 1, clause (c), the board shall levy the amounts certified by the council and transfer the proceeds to the council for payment of the obligations. The taxes must be levied, certified, and collected in accordance with the terms and conditions of the indebtedness.

Subd. 1a. **Obligations.** (a) The council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$17,000,000 for financial assistance to the commission, as prescribed in the implementation plan of the board and the capital program of the commission.

(b) The council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$1,500,000 for land acquisition and capital improvements for park and ride lots and transit transfer stations planned for the interstate highway described in section 161.123, clause (2), commonly known as I-394. These facilities may be constructed and maintained by the metropolitan transit commission. The board shall require, as a condition of financial assistance to the commission, that the commission make facilities it constructs, acquires, or improves for I-394 with funds provided under this provision available to all transit providers on a nondiscriminatory basis, as the board defines these terms. The limitation contained in this subdivision does not apply to refunding bonds issued by the council.

[For text of subd 2, see M.S.1986]

History: 1987 c 278 s 17,18; 1987 c 358 s 120

473.391 ROUTE PLANNING AND SCHEDULING.

The regional transit board shall contract with the metropolitan transit commission or other operators or local governments for route planning and scheduling services in any configuration of new or reconfiguration of existing transit services and routes, including route planning and scheduling necessary for the test marketing program, the service bidding program, and the interstate highway described in section 161.123, clause (2), commonly known as I-394. Route planning and scheduling is subject to approval by the board for conformity to the board's transit implementation plans and route, schedule, and other service standards, objectives, and policies established by the board.

History: 1987 c 278 s 22

473.392 SERVICE BIDDING.

The regional transit board may competitively bid transit service only in accordance with standards, procedures, and guidelines adopted by resolution of the board. The board shall establish a project management team to assist and advise the board in developing and implementing standards, procedures, and guidelines. The project management team must include representatives of the metropolitan transit commission, the Amalgamated Transit Union Local 1005, private operators, local governments, and other persons interested in the subject. At least 60 days before adopting any standards, procedures, or guidelines for competitive bidding of transit service, the board shall hold a public hearing on the subject. The board shall publish notice of the hearing in newspapers of general circulation in the metropolitan area not less than 15 days before the hearing. At the hearing all interested persons must be afforded an opportunity to present their views orally and in writing. Following the hearing, and after considering the testimony, the board shall revise and adopt the standards, procedures, and guidelines.

History: 1987 c 278 s 23

473.393 FEDERAL GRANTS.

The regional transit board may not be a recipient of federal capital or operating

assistance for transit. The board shall study and report to the legislature by January 1, 1988, on the effects, advantages, and disadvantages of transferring the authority to receive these funds from the commission to the board and on how and for what purpose the board would use the funds differently than the commission could use the funds.

History: 1987 c 278 s 24

473.398 TRANSIT NEEDS ASSESSMENT.

(a) The metropolitan council, the regional transit board, and the metropolitan transit commission may not either separately or in combination expend or obligate any money from public sources for study, planning, design, preliminary engineering, engineering, acquisition, construction, or any other purpose related to facilities for transporting passengers by cars operating on fixed rails, without express legislative authorization.

(b) Before performing any further detailed work on light rail transit, the regional transit board shall complete the total assessment of transit service needs and markets for the metropolitan area and the implementation plan required by section 473.377, subdivisions 1 and 2. It may consider any mode of travel to serve identified needs and markets.

(c) Following approval of the implementation plan by the metropolitan council, as required by section 473.377, subdivision 1, the regional transit board may commence corridor planning, consisting of preliminary engineering for general route configuration and alignments, station locations, modal interconnectors, and access of any modes including light rail transit, for the corridor between the downtowns of Minneapolis and St. Paul if the needs assessment and implementation plan so provide. It may utilize private or public funds to do this work.

(d) The board shall report to the legislature by December 1, 1986, on the needs, alternative transit systems, and services considered and recommendations for implementation, costs, alternative sources of financing, and preferred financing sources.

History: 1987 c 405 s 4

473.405 POWERS.

[For text of subds 1 to 12, see M.S.1986]

Subd. 13. **Insurance.** The commission may provide for self-insurance or otherwise provide for insurance relating to any of its property, rights, or revenue, workers' compensation, public liability, or any other risk or hazard arising from its activities, and may provide for insuring any of its officers or employees against the risk or hazard at the expense of the commission. If the commission provides for self-insurance, against its liability and the liability of its officers, employees, and agents for damages resulting from its torts and those of its officers, employees, and agents, including its obligation to pay basic economic loss benefits under sections 65B.41 to 65B.71, it shall be entitled to deduct from damages and basic economic loss benefits all money paid or payable to the persons seeking damages and benefits from all governmental entities providing medical, hospital, and disability benefits except for payments made under the aid to families with dependent children or medical assistance programs.

[For text of subds 14 and 15, see M.S.1986]

History: 1987 c 370 art 2 s 17

473.419 [Repealed, 1987 c 284 art 2 s 9]

473.446 TRANSIT TAX LEVIES.

Subdivision 1. **Taxation within transit taxing district.** For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, except as otherwise provided in this subdivision the regional transit board shall levy each year upon all taxable property within the metropolitan transit taxing district, defined in subdivision 2, a transit tax consisting of:

(a) an amount up to two mills times the assessed value of all such property, based upon the level of transit service provided for the property, the proceeds of which shall be used for payment of the expenses of operating transit and paratransit service and to provide for payment of obligations issued by the commission under section 473.436, subdivision 6;

(b) an additional amount, if any, as the board determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1985, to which property taxes under this section have been pledged; and

(c) an additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, including refunding bonds or other obligations issued or to be issued under section 473.39 by the council for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the council or board has specifically pledged tax levies under this clause.

The county auditor shall reduce the tax levied pursuant to this subdivision on all property within statutory and home rule charter cities and towns that receive full peak service and limited off-peak service by an amount equal to the tax levy that would be produced by applying a rate of 0.5 mills on the property. The county auditor shall reduce the tax levied pursuant to this subdivision on all property within statutory and home rule charter cities and towns that receive limited peak service by an amount equal to the tax levy that would be produced by applying a rate of 0.75 mills on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner shall review the certifications to determine their accuracy and may make changes in the certification as necessary or return a certification to the county auditor for corrections. The commissioner shall pay to the regional transit board the amounts certified by the county auditors on the dates provided in section 273.1394. There is annually appropriated from the general fund in the state treasury to the department of revenue the amounts necessary to make these payments in fiscal year 1987 and thereafter.

For the purposes of this subdivision, "full peak and limited off-peak service" means peak period regular route service, plus weekday midday regular route service at intervals longer than 60 minutes on the route with the greatest frequency; and "limited peak period service" means peak period regular route service only.

[For text of subs 1a to 7, see M.S.1986]

History: 1987 c 268 art 6 s 49; 1987 c 278 s 19

NOTE: The amendment to subdivision 1 by Laws 1987, chapter 268, article 6, section 49, is effective for taxes levied in 1988, payable in 1989, and thereafter, except as provided otherwise. See Laws 1987, chapter 268, article 6, section 54.

473.504 GENERAL POWERS OF COUNCIL AND COMMISSION.

[For text of subs 1 to 10, see M.S.1986]

Subd. 11. The commission may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. Such property may be sold in the manner provided by section 469.065, insofar as practical. The commission may give such notice of sale as it shall deem appropriate. When the commission determines that any property or any interceptor or treatment works or any part thereof which has been acquired from a local government unit without compensation is no longer required, but is required as a local facility by the government unit from which it was acquired, the commission may by resolution transfer it to such government unit.

[For text of subd 12, see M.S.1986]

History: 1987 c 291 s 229

473.511 SEWER SERVICE FUNCTION.*[For text of subds 1 to 3, see M.S.1986]*

Subd. 4. **Current value of existing facilities.** When the commission assumes the ownership of any existing interceptors or treatment works as provided in subdivision 2 or 3, the local government unit or units which paid part or all of the cost of such facility, directly or pursuant to contracts for reimbursement of costs, shall be entitled to receive a credit against amounts to be allocated to them under section 473.517, which may be spread over such period not exceeding 30 years as the commission shall determine, and an additional credit equal to interest on the unused credit balance from time to time at the rate of four percent per annum. The amount of such credit shall equal the current value of the facility computed by the commission in the manner provided in this subdivision at the time the commission acquires it. The original cost of a facility shall be computed as the total actual costs of constructing it, including engineering, legal, and administrative costs, less any part of it paid from federal or state funds and less the principal amount of any then outstanding bonds which were issued to finance its construction. The original cost shall be multiplied by a factor equal to a current cost index divided by the same cost index at the time of construction, to determine replacement cost. The cost indices used shall be the Engineering News Record Construction Cost Indices for facilities or parts thereof completed before 1930, and the United States Public Health Service Federal Water Pollution Control Values for Sewer and Treatment Plant Construction, as applied to facilities or parts thereof completed in or after 1930. The current value of the facility shall be the replacement cost depreciated by 2.50 percent per annum from the date of construction of treatment works and 1.25 percent per annum from the date of construction of interceptors; and decreased further by a reasonable allowance for obsolescence if the board determines that the facility or any part thereof will not be useful for board purposes for at least the remaining period required to depreciate it fully, assuming no salvage value. The current value of each such facility shall be credited to each local government unit in proportion to the amount of the construction cost paid by that unit, as determined by the commission, taking into account reimbursements previously made under contracts between any of the local government units. The commission shall prepare an itemized statement of the amount of credit each local government unit is entitled to receive under this subdivision, and the years and amounts of installments of principal and interest thereon, and shall cause it to be mailed or delivered to the governing body of each local government unit concerned. All credits allowed under this subdivision shall be used to finance current costs allocated to the local government unit by the commission or for other sewer costs, and the credits shall not be considered as proceeds from the sale of municipal property so as to permit their use for other purposes.

*[For text of subd 5, see M.S.1986]***History:** 1987 c 53 s 1**473.517 ALLOCATION OF CURRENT COSTS.**

Subdivision 1. **Current costs defined.** The estimated costs of operation, maintenance, and debt service of the metropolitan disposal system to be paid by the commission in each fiscal year, and the costs of acquisition and betterment of the system which are to be paid during the year from funds other than bond proceeds, including all expenses incurred by the council pursuant to sections 473.501 to 473.545, are referred to in this section as current costs, and shall be allocated in the budget for that year to the respective local government units in the metropolitan area as provided in subdivisions 2 to 6. The amount budgeted by the commission for any year for a reserve or contingency fund must be treated as a current cost and allocated as a cost of operation and maintenance in accordance with this section. The reserve or contingency fund so established may not exceed an amount equal to 7.5 percent of the commission's operating budget in total.

Subd. 2. Allocation of metropolitan treatment works and interceptor costs; adjusted volume. Except as provided in subdivision 3, the current costs of all treatment works and interceptors in the metropolitan disposal system shall be allocated among and paid by all local government units which will discharge sewage, directly or indirectly, into the metropolitan disposal system during the budget year, in proportion to the total volume estimated to be so discharged by each local government unit, adjusted as follows:

(a) increased or decreased, as the case may be, to the extent the commission determines, on the basis of such historical and reasonably projected data as may be available, that the sewage discharged by one unit will require more or less treatment to produce a suitable effluent than that discharged by others;

(b) decreased by any amount of surface water estimated by the commission to be discharged by a local government unit from a combined storm and sanitary sewer system;

(c) increased by that volume of normal sanitary sewage which is equivalent for treatment purposes to the volume of surface water referred to in clause (b), as determined by the commission from available engineering data; and

(d) increased or decreased, as the case may be, by the amount of any substantial and demonstrable error in a previous estimate.

Subd. 3. Allocation of metropolitan treatment works and interceptor costs; reserved capacity. In preparing each budget the commission shall estimate the current costs of acquisition, betterment, and debt service, only, of the treatment works in the metropolitan disposal system which will not be used to total capacity during the budget year, and the percentage of such capacity which will not be used, and shall deduct the same percentage of such treatment works costs from the current costs allocated under subdivision 2. The commission shall also estimate the current costs of acquisition, betterment, and debt service, only, of the interceptors in the metropolitan disposal system that will not be used to total capacity during the budget year, shall estimate the percentage of the total capacity that will not be used, and shall deduct the same percentage of interceptor costs from the current costs allocated under subdivision 2. The total amount so deducted with respect to all treatment works and interceptors in the system shall be allocated among and paid by the respective local government units in the metropolitan area for which system capacity unused each year is reserved for future use, in proportion to the amounts of such capacity reserved for each of them.

Subd. 4. [Repealed, 1987 c 53 s 8]

Subd. 5. [Repealed, 1987 c 53 s 8]

[For text of subd 6, see M.S.1986]

Subd. 7. [Repealed, 1987 c 53 s 8]

[For text of subd 8, see M.S.1986]

Subd. 9. Advisory committees. The commission may establish and appoint persons to advisory committees to assist the commission in the performance of its duties. If established, the advisory committees shall meet with the waste control commission to consult with such members concerning the acquisition, betterment, operation and maintenance of interceptors and treatment works in the metropolitan disposal system, and the allocation of costs therefor. Members of the advisory committee serve without compensation but must be reimbursed for their reasonable expenses as determined by section 15.059.

History: 1987 c 53 s 2-5

473.556 POWERS OF COMMISSION.

[For text of subds 1 to 5, see M.S.1986]

Subd. 6. Disposition of property. (a) The commission may sell or otherwise dispose

of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property shall be sold in the manner provided by section 469.065, insofar as practical and consistent with sections 473.551 to 473.595.

(b) Real property at the metropolitan sports area (not including the indoor public assembly facility and adjacent parking facilities) which is no longer needed for sports facilities may be sold or leased for residential, commercial, or industrial development in accordance with the procedures in section 469.065 within two years to a private, for-profit entity, and thereafter the property shall be subject to all applicable taxes and assessments and all government laws, rules and ordinances bearing on use and development as if the property were privately owned.

(c) Any real property right, title, or interest within the provisions of paragraph (b) owned by the commission may be sold or leased in whole or in part to the port authority of the city of Bloomington to further the general plan of port improvement or industrial development or for any other purpose which the authority considers to be in the best interests of the district and its people. The property shall be sold or leased to the authority in accordance with section 469.065, subdivisions 1 to 4. Section 469.065, subdivisions 5 to 7, shall not apply to a sale under this paragraph.

(d) Real property disposed of under clause (c) shall be subject to leases, agreements, or other written interests in force on June 1, 1983.

(e) The proceeds from the sale of any real property at the metropolitan sports area shall be paid to the council and used for debt service or retirement.

[For text of subds 7 to 14, see M.S.1986]

History: 1987 c 291 s 230

473.604 MEMBERSHIP, GOVERNMENT.

Subdivision 1. The commission consists of:

(1) the mayor of each of the cities, or a qualified voter appointed by the mayor, for the term of office as mayor;

(2) a number of members appointed from precincts equal or nearest to but not exceeding half the number of districts which are provided by law for the selection of members of the metropolitan council in section 473.123. Each member shall be a resident of the precinct represented. The members shall be appointed by the governor as follows: a number as near as possible to one-fourth, for a term of one year; a similar number for a term of two years; a similar number for a term of three years; and a similar number for a term of four years, all of which terms shall commence on July 1, 1981. The successors of each member shall be appointed for four-year terms commencing in July of each fourth year after the expiration of the original term. Before making an appointment, the governor shall consult with each member of the legislature from the precinct for which the member is to be appointed, to solicit the legislator's recommendation on the appointment; and

(3) a chair appointed by the governor for a term of four years. The chair may be removed at the pleasure of the governor.

[For text of subds 2 to 6, see M.S.1986]

Subd. 7. **Members; duties.** Members appointed under subdivision 1 have the duties imposed by section 473.141, subdivision 3a.

History: 1987 c 223 s 1; 1987 c 278 s 20,21

473.612 NOISE ABATEMENT.

(a) By December 31, 1981, the commission shall submit to the legislature a noise abatement plan for the Minneapolis-St. Paul International Airport, containing annual programmatic goals, numerical goals, and objectives until December 31, 1989, for reduction of aircraft noise within the metropolitan area. The plan shall also contain, but not be limited to, documentation of annual change in the maximum hourly noise

levels, such as defined by Minnesota pollution control agency rules, Minnesota Rules, chapter 7010, based on the typically worst noise condition on an hourly basis received in residential areas representing the noise-impacted region of the metropolitan area. The pollution control agency shall participate in the selection and review of the monitoring of such residential areas.

(b) By December 31, 1982, and each year thereafter until December 31, 1989, the commission shall submit to the legislature and the pollution control agency a draft report detailing the accomplishment of programmatic goals and objectives and the annual change in noise levels as outlined in the above noise abatement plan. By December 31, 1984, and each year thereafter until December 31, 1989, the commission shall submit to the legislature a report which includes any comments provided by the pollution control agency and the commission's response to the comments. In addition, the commission shall provide as part of the annual reports its best estimate, in the form of numerical goals, of noise abatement to be achieved by December 31, 1989, in residential areas representing the noise-impacted region of the metropolitan area. The goals shall be updated annually.

(c) In the December 31, 1987, report, the commission shall describe and document the percentage reduction in average daily noise energy, produced cumulatively by all the operations of all air carrier aircraft serving the Minneapolis-St. Paul International Airport, from the level existing in August 1986.

History: 1987 c 223 s 2

473.621 POWERS OF CORPORATION.

Subd. 1a. **Relationship to legislature.** The commission shall be held accountable to the legislature in its activities, plans, policies, and programs. It shall report each session to appropriate committees of the legislature as to its activities, plans, policies, and programs and shall make other reports and recommendations which the legislature or its committees deem appropriate. The commission shall adopt a long-term comprehensive plan for the Minneapolis-St. Paul International Airport. The plan must describe, in the degree of detail that the commission deems appropriate for at least a prospective ten-year period, the following:

- (1) aviation demand;
- (2) airport capacity, including environmental, runway, terminal, and other factors relevant to capacity;
- (3) a plan and financial estimates for physical development;
- (4) airport operational characteristics;
- (5) compatibility with the capacity of metropolitan and local physical facility systems;
- (6) environmental effects; and
- (7) the effect on the neighboring communities.

The plan must be submitted to the legislature by December 31, 1988, and be updated at least every five years thereafter. The plan is subject to sections 473.165 and 473.611.

[For text of subs 2 to 6, see M.S. 1986]

Subd. 7. **Capital projects.** For purposes of this section, capital projects having a significant effect on the orderly and economic development of the metropolitan area shall be deemed to be the following:

- (a) the location of a new airport,
- (b) a new runway at an existing airport,
- (c) a runway extension at an existing airport,
- (d) runway strengthening other than routine maintenance to determine compliance with federal air regulation part 36,
- (e) construction or expansion of passenger handling or parking facilities which would permit a 25 percent or greater increase in passenger enplanement levels,

(f) land acquisition associated with any of the above items or which would cause relocation of residential or business activities.

History: 1984 c 561 s 4; 1987 c 223 s 3

473.638 CONTROL MEASURE INVOLVING TAKING; CONDEMNATION BY METROPOLITAN AIRPORTS COMMISSION.

[For text of subd 1, see M.S.1986]

Subd. 2. Retention or sale of property. The commission may retain any property now owned by it or acquired under subdivision 1 and use it for a lawful purpose, or it may provide for the sale or other disposition of the property in accordance with a redevelopment plan in the same manner and upon the same terms as the housing and redevelopment authority and governing body of a municipality under the provisions of section 469.029, all subject to the provisions of section 473.636, subdivision 2, or to existing land use and development control measures approved by the council.

[For text of subd 3, see M.S.1986]

History: 1987 c 291 s 231

473.803 METROPOLITAN COUNTY PLANNING.

[For text of subds 1 to 1d, see M.S.1986]

Subd. 1e. Recycling implementation strategy. (a) By December 1, 1988, each county shall submit for council approval a local recycling implementation strategy. The local recycling implementation strategy must:

- (1) be consistent with the approved county master plan;
- (2) identify the materials that will be recycled in the county, including at least yard waste and three other materials, and the parties responsible and method for recycling the material; and
- (3) define the need for funds to ensure continuation of local recycling, methods of raising and allocating such funds, and permanent sources and levels of local funding for recycling.

(b) For the purposes of this subdivision, "recycling" includes yard waste composting and recycling that occurs at a waste facility through mechanical or hand separation of materials that are then delivered for reuse in their original form or for use in manufacturing processes.

[For text of subds 2 to 4, see M.S.1986]

History: 1987 c 348 s 41

473.811 COUNTIES AND LOCAL UNITS OF GOVERNMENT; WASTE MANAGEMENT.

[For text of subds 1 to 5c, see M.S.1986]

Subd. 6. Grants and loans to counties. Each metropolitan county may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, the metropolitan council, any local government unit, or any person, to accomplish the purposes specified in sections 473.149, 473.151, 473.801 to 473.823, 473.831, 473.833, and 473.834, may enter into any agreement required in connection therewith, and may hold, use, and dispose of the money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. Joint action. Any local governmental unit or metropolitan agency may act together with any county, city, or town within or without the metropolitan area, or with the pollution control agency or the waste management board under the provisions of section 471.59 or any other appropriate law providing for joint or cooperative action

between government units, to accomplish any purpose specified in sections 473.149, 473.151, 473.801 to 473.823, 473.831, 473.833, 473.834, 116.05 and 115A.06.

Any agreement regarding data processing services relating to the generation, management, identification, labeling, classification, storage, collection, treatment, transportation, processing or disposal of waste and entered into pursuant to section 471.59, or other law authorizing joint or cooperative action may provide that any party to the agreement may agree to defend, indemnify and hold harmless any other party to the agreement providing the services, including its employees, officers or volunteers, against any judgments, expenses, reasonable attorney's fees and amounts paid in settlement actually and reasonably incurred in connection with any third party claim or demand arising out of an alleged act or omission by a party to the agreement, its employees, officers or volunteers occurring in connection with any exchange, retention, storage or processing of data, information or records required by the agreement. Any liability incurred by a party to an agreement under this subdivision shall be subject to the limitations set forth in section 3.736 or 466.04.

Subd. 8. County sale or lease. Each metropolitan county may sell or lease any facilities or property or property rights previously used or acquired to accomplish the purposes specified by sections 473.149, 473.151, 473.801 to 473.823, 473.831, 473.833, and 473.834. Such property may be sold in the manner provided by section 469.065, or may be sold in the manner and on the terms and conditions determined by the county board. Each metropolitan county may convey to or permit the use of any such property by a local government unit, with or without compensation, without submitting the matter to the voters of the county. No real property or property rights acquired pursuant to this section, may be disposed of in any manner unless and until the county shall have submitted to the agency and the metropolitan council for review and comment the terms on and the use for which the property will be disposed of. The agency and the council shall review and comment on the proposed disposition within 60 days after each has received the data relating thereto from the county.

Subd. 9. Solid and hazardous waste fund. All money received by any metropolitan county from any source specified in sections 473.149, 473.151, 473.801 to 473.823, 473.831, 473.833, and 473.834 shall be paid into the county treasury, placed in a special fund designated as the county solid and hazardous waste fund, and used only for the purposes authorized in those sections, as appropriated by the county board, subject to any lawful restrictions, conditions, or pledges applicable thereto.

[For text of subd 10, see M.S.1986]

History: 1987 c 291 s 232; 1987 c 384 art 2 s 103-106

473.834 DEBT SERVICE; SOLID WASTE BONDS.

[For text of subd 1, see M.S.1986]

Subd. 2. Allocation of debt service. The annual debt service on the council's solid waste bonds, issued under section 473.831, shall be annually apportioned and certified by the council to each county in the metropolitan area, in the proportion that the assessed value of all taxable property within each county bears to the assessed value of the taxable property in all the counties, except that the apportionment to each county shall first be adjusted to reflect exemptions from payment required by subdivision 1.

Subd. 3. [Repealed, 1987 c 348 s 52]

History: 1987 c 348 s 42

473.842 DEFINITIONS.

[For text of subds 1 and 1a, see M.S.1986]

Subd. 2. Market development. "Market development" means the location and facilitation of markets for materials, substances, energy, or other products contained within or derived from waste.

[For text of subds 3 to 6, see M.S.1986]

History: 1987 c 348 s 43

473.844 METROPOLITAN LANDFILL ABATEMENT FUND.

Subdivision 1. Establishment; purposes. The metropolitan landfill abatement fund is created as an account in the state treasury in order to reduce to the greatest extent feasible and prudent the need for and practice of land disposal of mixed municipal solid waste in the metropolitan area. The fund consists of revenue deposited in the fund under section 473.843, subdivision 2, clause (a), and interest earned on investment of money in the fund. All repayments to loans made under this section must be credited to the fund. The money in the fund may be spent only for purposes of metropolitan landfill abatement as provided in subdivision 1a and only upon appropriation by the legislature.

Subd. 1a. Use of funds. The money in the fund may be spent only for the following purposes:

- (1) assistance to any person for resource recovery projects funded under subdivision 4 or projects to develop markets for reusable or recyclable waste materials, including related public education, planning, and technical assistance;
- (2) grants to counties under section 473.8441; and
- (3) program administration by the metropolitan council.

Subd. 2. [Repealed, 1987 c 348 s 52]

[For text of subd 3, see M.S.1986]

Subd. 4. Resource recovery grants and loans. The grant and loan program under this subdivision is administered by the metropolitan council. Grants and loans may be made to any person for resource recovery projects. The grants and loans may include the cost of planning, acquisition of land and equipment, and capital improvements. Grants and loans for planning may not exceed 50 percent of the planning costs. Grants and loans for acquisition of land and equipment and for capital improvements may not exceed 50 percent of the cost of the project. Grants and loans may be made for public education on the need for the resource recovery projects. A grant or loan for land, equipment, or capital improvements may not be made until the metropolitan council has determined the total estimated capital cost of the project and ascertained that full financing of the project is assured. Grants and loans made to cities, counties, or solid waste management districts must be for projects that are in conformance with approved master plans. A grant or loan to a city or town must be reviewed and approved by the county for conformance with the county master plan.

Subd. 5. [Repealed, 1987 c 348 s 52]

History: 1987 c 348 s 44,45

473.8441 LOCAL RECYCLING DEVELOPMENT PROGRAM.

Subdivision 1. Definitions. "Number of households" has the meaning given in section 477A.011, subdivision 3a.

Subd. 2. Program. The council shall encourage the development of permanent local recycling programs throughout the metropolitan area. By January 1, 1988, the council shall develop performance indicators for local recycling that will measure the availability and use of recycling throughout the metropolitan area. The council shall make grants to qualifying metropolitan counties as provided in this section.

Subd. 3. Grants; eligible costs. Grants may be used to pay for planning, developing, and operating yard waste composting and recycling programs.

Subd. 4. Grant conditions. The council shall administer grants so that the following conditions are met:

- (a) A county must apply for a grant in the manner determined by the council. The application must describe the activities for which the grant will be used.

(b) The activities funded must be consistent with the council's policy plan and the county master plan.

(c) A grant must be matched by equal county expenditures for the activities for which the grant is made.

(d) All grant funds must be used for new activities or to enhance or increase the effectiveness of existing activities in the county.

(e) Counties shall provide support to maintain effective municipal recycling where it is already established.

Subd. 5. Grant allocation procedure. (a) The council shall distribute the funds so that each qualifying county receives a base amount of \$25,000, plus a proportionate share of the remaining funds available for the program. A county's share is an amount that has the same proportion to the total remaining funds as the number of households in the county has to the total number of households in all metropolitan counties. The council shall distribute the funds in two parts.

(b) The first distribution consists of the base amount plus one-third of the county's proportionate share. To qualify for the first distribution, a county must submit an application for council approval before December 1, 1987. Not more than one-half of the first distribution may be spent for planning and consultants.

(c) The second distribution consists of the remaining funds available for the program. To qualify for the second distribution, a county must have received funds under the first distribution and must submit for council approval by December 1, 1988, a report on expenditures and activities under the program, a local recycling implementation strategy as required by section 473.803, subdivision 1e, and a proposed performance funding system that will allocate all of the remaining funds available under the program for recycling implementation activities in accordance with performance.

History: 1987 c 348 s 46

473.846 REPORT TO LEGISLATURE.

By November 1, 1986, and each year thereafter, the agency and metropolitan council shall submit to the senate finance committee, the house appropriations committee, and the legislative commission on waste management separate reports describing the activities for which money from the landfill abatement and contingency action funds has been spent during the previous fiscal year. The council may incorporate its report in the report required by section 473.149. In its 1988 report, the council shall make recommendations to the legislature on the future management and use of the metropolitan landfill abatement fund.

History: 1987 c 348 s 47

473.852 DEFINITIONS.

[For text of subds 1 to 5, see M.S.1986]

Subd. 6. "Fiscal devices" means the valuation of property pursuant to section 273.111, the designation of urban and rural service districts, pursuant to section 272.67, and the establishment of development districts pursuant to sections 469.124 to 469.134, and any other statutes authorizing the creation of districts in which the use of tax increment bonding is authorized.

[For text of subds 7 to 11, see M.S.1986]

History: 1987 c 291 s 233

473.875 METROPOLITAN WATER MANAGEMENT PROGRAMS; PURPOSES.

The purpose of the water management programs required by sections 473.875 to 473.883 is to protect, preserve and use natural surface and ground water storage and

retention systems in order to (a) reduce to the greatest practical extent the public capital expenditures necessary to control excessive volumes and rates of runoff, (b) protect and improve surface and ground water quality, (c) prevent flooding and erosion from surface flows, (d) promote ground water recharge, (e) protect and enhance fish and wildlife habitat and water recreational facilities, and (f) secure the other benefits associated with the proper management of surface and ground water.

History: 1987 c 207 s 4

473.876 DEFINITIONS.

[For text of subd 1, see M.S.1986]

Subd. 1a. **Board.** "Board," unless the context indicates otherwise, means the board of water and soil resources created in section 110B.35.

[For text of subd 2, see M.S.1986]

Subd. 2a. **Ground water plan.** "Ground water plan" means a county plan adopted under section 473.8785.

Subd. 2b. **Ground water system.** "Ground water system" means one of the 14 principal aquifers of the state as defined by the United States Geological Survey in the Water-Resources Investigations 81-51, entitled "Designation of Principal Water Supply Aquifers in Minnesota" (August 1981), and its revisions.

[For text of subds 3 to 9, see M.S.1986]

History: 1987 c 207 s 5,6; 1987 c 358 s 121

473.877 JOINT POWERS WATERSHED MANAGEMENT ORGANIZATION.

[For text of subd 1, see M.S.1986]

Subd. 2. **Review of watershed boundaries.** Before commencing planning under section 473.878, a watershed management organization established pursuant to section 471.59 and this section shall submit a map delineating the boundaries of the watershed to the board of water and soil resources for review and comment on the conformance of the boundaries with the requirements of sections 473.875 to 473.883. The board shall have 60 days to comment.

[For text of subd 3, see M.S.1986]

History: 1987 c 358 s 122

473.8771 WATERSHED DISTRICTS; BOUNDARY CHANGE; TERMINATION.

Subdivision 1. **Boundary change.** The boundaries of a watershed district wholly within the metropolitan area may be changed pursuant to this subdivision or chapter 112. The governing board of a watershed management organization may petition the board of water and soil resources for an order changing the boundaries of a watershed district wholly within the metropolitan area, either by adding new territory to the district or by transferring territory that is within the district to the jurisdiction of another watershed management organization. The petition must:

(a) describe with particularity the change in boundary requested, the territory affected, and the reasons for the change;

(b) show that the change is consistent with the purposes and requirements of sections 473.875 to 473.883; and

(c) identify any property subject to subdivision 3.

The petition must be accompanied by a written statement of concurrence in the petition from the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory

proposed to be added or transferred. Upon the filing of a sufficient petition, the board shall give notice of the filing of the petition by publication once each week for two successive weeks in a legal newspaper in each county affected and by mail to the county auditor of each county affected and to the chief official of each statutory or home rule charter city and township affected. The notice must describe the action proposed by the petition and invite written comments on the petition for consideration by the board. The notice must announce that any person who objects to the action proposed in the petition may submit a written request for hearing to the board within 20 days of the last publication of the notice of the filing of the petition and that if no timely request for hearing is received the board will make a decision on the petition pursuant to this subdivision without conducting the public hearing required under chapter 112. If no timely request for hearing is received the board shall make a decision on the petition without a hearing within 30 days after the last publication of the notice. If one or more timely requests for hearing are received the board shall hold a hearing on the petition and shall follow the procedures in chapter 112 regarding notice and conduct of hearings. After completing the procedures required by this subdivision, the board shall, by its findings and order, make the boundary change requested if the board determines that:

(i) the governing body of each statutory or home rule charter city and town and each watershed management organization having jurisdiction over the territory proposed to be added or transferred concurs in the petition,

(ii) the change is consistent with the purposes and requirements of sections 473.875 to 473.883, and

(iii) the change can be accomplished in conformance with subdivision 3.

The board shall file a certified copy of the findings and order with the secretary of state. The order making the change must conform to subdivision 3. The order making the change may amend the order prescribing the distribution of managers of the district.

Subd. 2. Termination. A watershed district wholly within the metropolitan area may be terminated pursuant to this subdivision or chapter 112. Proceedings for termination under this subdivision must be initiated by a petition to the board of water and soil resources filed jointly by the governing bodies of all statutory and home rule charter cities and towns having jurisdiction over territory within the watershed. Upon the filing of a sufficient petition, the board shall hold a hearing in accordance with the procedures prescribed in chapter 112, to take testimony on the determinations required to be made by the board. Following the hearing, the board shall, by its findings and order, terminate the district as requested if the board determines:

(a) that the local units of government having jurisdiction over territory within the watershed have formed a joint powers organization for the watershed pursuant to section 473.877,

(b) that upon termination of the district the members of the joint powers organization, jointly or severally, are willing and able to assume ownership of the district's assets and the responsibility for managing and maintaining the district's projects as necessary to accomplish the purposes of sections 473.875 to 473.883 and to implement the watershed plan of the joint powers organization to be developed pursuant to section 473.878, and

(c) that the termination can be accomplished in conformance with subdivision 3. The board shall file a certified copy of the findings and order with the secretary of state. The order terminating the district must transfer the assets of the district to the joint powers organization or its members. The order must conform to subdivision 3.

[For text of subd 3, see M.S.1986]

History: 1987 c 358 s 123,124

473.878 WATERSHED PLANS.

[For text of subs 1 to 2, see M.S.1986]

Subd. 3. **General standards.** (a) The watershed management plan shall extend through the year 1990 or any year thereafter which is evenly divisible by five.

(b) The plan must be updated before the expiration of the period covered by the plan. The plan must be reviewed for consistency with an adopted county ground water plan, and revised as necessary, whenever the watershed plan undergoes substantial revision or updating. In counties that adopt or amend ground water plans within five years following August 1, 1987, watershed plans must be reviewed for consistency with the county ground water plan, and revised as necessary, not later than six years following August 1, 1987. In counties that adopt or amend ground water plans after five years following August 1, 1987, watershed plans must be reviewed for consistency with the county ground water plan, and revised as necessary, not later than one year following the adoption or amendment of the ground water plan. Upon the request of a watershed management organization, the county shall provide a written statement that: (1) identifies any substantial inconsistencies between the watershed plan and the ground water plan and any substantial adverse effects of the watershed plan on the ground water plan, and (2) evaluates, estimates the cost of, and recommends alternatives for amending the watershed plan to rectify any substantial inconsistencies and adverse effects.

(c) The plan shall contain the elements required by subdivision 4. Each element shall be set out in the degree of detail and prescription necessary to accomplish the purposes of sections 473.875 to 473.883, considering the character of existing and anticipated physical and hydrogeologic conditions, land use, and development and the severity of existing and anticipated water management problems in the watershed.

(d) The plan shall be prepared and submitted for review under subdivision 5 not later than December 31, 1986.

(e) Existing plans of a watershed management organization shall remain in force and effect until amended or superseded by plans adopted under sections 473.875 to 473.883. Existing or amended plans of a watershed management organization which meet the requirements of sections 473.875 to 473.883 may be submitted for review under subdivision 5.

[For text of subds 3a and 4, see M.S.1986]

Subd. 5. **Local review.** (a) Upon completion of the plan but before final adoption by the organization, the organization shall submit the plan for review and comment to all counties, soil and water conservation districts, towns, and statutory and home rule charter cities having territory within the watershed. Any local government unit which expects that substantial amendment of its local comprehensive plan will be necessary in order to bring local water management into conformance with the watershed plan shall describe as specifically as possible, within its comments, the amendments to the local plan which it expects will be necessary. If the county has a ground water plan, the county shall review and comment on the consistency of the watershed plan with the county ground water plan. Differences among local governmental agencies regarding the plan must be mediated.

(b) Sixty days after the submission to local government units for comment, the organization shall submit the plan, any comments received, and any appropriate amendments to the plan, to the board of the county or counties having territory within the watershed. The county shall approve or disapprove projects in the capital improvement program which may require the provision of county funds pursuant to section 112.60, subdivision 2, or 473.883. The county shall have 60 days to complete its review of the capital improvement program. If the county fails to complete its review within the prescribed period, unless an extension is agreed to by the organization the program shall be deemed approved. If the watershed extends into more than one county and one or more counties disapprove of all or part of a capital improvement program while the other county or counties approve, the program shall be submitted to the water resources board for review pursuant to subdivision 7.

Subd. 6. **Review by metropolitan council.** After completion of the review under

subdivision 5, the plan and all comments received shall be submitted to the metropolitan council for review. Notwithstanding any provision to the contrary in sections 112.46 and 473.165, the council shall review the plan in the same manner and with the same authority and effect as provided for the council's review of the comprehensive plans of local government units under section 473.175. The council shall comment on the apparent conformity with metropolitan system plans of any anticipated amendments to local comprehensive plans. The council may mediate and attempt to resolve differences among local governmental agencies regarding the plan.

Subd. 7. Review by state agencies. After completion of the review under subdivision 6, the plan and all comments received shall be submitted to the commissioners of natural resources and health and the director of the pollution control agency for review and comment on the consistency of the plan with state laws and rules relating to water and related land resources, and to the board of water and soil resources for review under section 112.46. Except as otherwise provided in this subdivision, the board of water and soil resources shall review the plan as provided in section 112.46. The board shall review the plan for conformance with the requirements of chapter 112 and sections 473.875 to 473.883. The board shall not prescribe a plan, but may disapprove all or parts of a plan which it determines is not in conformance with the requirements of chapter 112 and sections 473.875 to 473.883. If the capital improvement program is the subject of a dispute between counties, the board of water and soil resources shall make a final decision on the issue. The decision shall be binding on the organization and the counties involved.

Subd. 8. Adoption; implementation. The organization shall adopt and implement its plan within 120 days after compliance with the provisions of subdivision 7 and approval of the plan by the board of water and soil resources. A watershed district may implement its approved plan and approved capital improvement program by resolution of the majority of the board of managers and without respect to the provisions of chapter 112 requiring the managers to wait upon petitions for projects, to submit projects for review by the board of water and soil resources, and to limit the cost and purposes of projects.

Subd. 9. Amendments. To the extent and in the manner required by the adopted plan, all amendments to the adopted plan shall be submitted to the towns, cities, county, and other agencies for review in accordance with the provisions of subdivisions 5, 6, and 7. Amendments necessary to revise the plan to be consistent with county ground water plan, as required by subdivision 3, must be submitted for review in accordance with subdivisions 5, 6, and 7.

History: 1987 c 207 s 7-11; 1987 c 358 s 125, 126

473.8785 GROUND WATER PLANS.

Subdivision 1. Authority. A metropolitan county may prepare and adopt ground water plans in accordance with this section.

Subd. 2. Responsible units. The county may prepare and adopt the plan or, upon request of a soil and water conservation district, the county may delegate to the soil and water conservation district the preparation and adoption of all or part of a plan and the performance of other county responsibilities regarding the plan under this section and section 473.878.

Subd. 3. Local coordination. To assure the coordination of efforts of all units of government during the preparation and implementation of watershed and ground water plans, the county shall conduct meetings with local units of government and watershed management organizations, and may enter into agreements with local units of government and watershed management organizations establishing the responsibilities during the preparation and implementation of the water plans.

Subd. 4. Assistance; advisory committee. The county may contract with the Minnesota geological survey, the United States Geological Survey, a soil and water conservation district, or other public or private agencies or persons for services in

performing the county's responsibilities regarding the plan under this section and section 473.878. Counties may enter into agreements with other counties or local units of government under section 471.59 for the performance of these responsibilities. To assist in the development of the ground water plan, the county shall seek the advice of the Minnesota geological survey, the departments of health and natural resources, the pollution control agency, and other appropriate local, state, and federal agencies, and shall name an advisory committee of 15 members. The committee must include representatives of various interests, including construction, agriculture, hydrogeology, and well drilling. At least four members of the committee must be from the public at large with no direct pecuniary interest in any project involving ground water protection. At least seven members must be appointed from watershed management organizations, statutory and home rule charter cities, and towns, and these local government representatives must be geographically distributed so that at least one is appointed from each county commissioner district. The county shall consult the advisory committee on the development, content, and implementation of the plan, including the relationship of the ground water plan and existing watershed and local water management plans, the effect of the ground water plan on the other plans, and the allocation of costs and governmental authority and responsibilities during implementation.

Subd. 5. General standards. The ground water plan must extend through the year 1995 or any year thereafter which is evenly divisible by five. The plan must contain the elements required by subdivision 6. Each element must be set out in the degree of detail and prescription necessary to accomplish the purposes of sections 473.875 to 473.883, considering the character of existing and anticipated physical and hydrogeologic conditions, land use, and development and the severity of existing and anticipated ground water management problems in the county. To the fullest extent possible in a manner consistent with ground water protection, a county shall make maximum use of existing and available data and studies in preparing the ground water plan and incorporate into its ground water plan relevant data from existing plans and studies and the relevant provisions of existing plans adopted by watershed management organizations having jurisdiction wholly or partly within the county.

Subd. 6. Contents. A ground water plan must:

- (1) cover the entire area within the county;
- (2) describe existing and expected changes to the physical environment, land use, and development in the county;
- (3) summarize available information about the ground water and related resources in the county, including existing and potential distribution, availability, quality, and use;
- (4) state the goals, objectives, scope, and priorities of ground water protection in the county;
- (5) contain standards, criteria, and guidelines for the protection of ground water from pollution and for various types of land uses in environmentally sensitive areas, critical areas, or previously contaminated areas;
- (6) describe relationships and possible conflicts between the ground water plan and the plans of other counties, local government units, and watershed management organizations in the affected ground water system;
- (7) set forth standards and guidelines for implementation of the plan by watershed management organizations and local units of government; and
- (8) include a procedure for amending the ground water plan.

Subd. 7. Local review and comment. Upon completion of the ground water plan but before final adoption by the county, the county shall submit the plan for review and comment to each soil and water conservation district, town, statutory and home rule charter city, and watershed management organization having territory within the county. The county also shall submit the plan to any other county or watershed management organization or district in the affected ground water system that could affect or be affected by implementation of the plan. Any political subdivision or

watershed management organization that expects that substantial amendment of its plans would be necessary in order to bring them into conformance with the county ground water plan shall describe as specifically as possible, within its comments, the amendments that it expects would be necessary and the cost of amendment and implementation. Reviewing entities have 60 days to review and comment. Differences among local governmental agencies regarding the plan must be mediated.

Subd. 8. Review by metropolitan council. After completion of the review under subdivision 7, the plan and all comments received must be submitted to the metropolitan council for review. Notwithstanding any provision to the contrary in sections 112.46 and 473.165, the council shall review the plan in the same manner and with the same authority and effect as provided for the council's review of the comprehensive plans of local government units under section 473.175. The council shall comment on the apparent conformity with metropolitan system plans of any anticipated amendments to watershed plans and local comprehensive plans. The council shall summarize and evaluate the cost of rectifying inconsistencies between the ground water plan and watershed plans. If the council finds that significant funding problems, needs, or inequities will result from the ground water plan, the council shall report to the legislature on the matter and on appropriate means of allocating and paying costs. The council may mediate and attempt to resolve differences among local governmental agencies regarding the plan.

Subd. 9. Review by state agencies. After completion of the review under subdivision 8, the plan and all comments received must be submitted to the commissioners of natural resources and health and the director of the pollution control agency for review and comment on the consistency of the plan with state laws and rules relating to water and related land resources, and to the water resources board for review under section 112.46. Except as otherwise provided in this subdivision, the water resources board shall review the plan as provided in section 112.46. The board shall review the plan for conformance with the requirements of chapter 112 and sections 473.875 to 473.883. The board may not prescribe a plan but may disapprove all or parts of a plan which it determines is not in conformance with the requirements of chapter 112 and sections 473.875 to 473.883.

Subd. 10. Adoption; implementation. The county shall adopt and implement its ground water plan within 120 days after approval of the plan by the water resources board.

Subd. 11. Amendments. To the extent and in the manner required by the adopted plan, all amendments to the adopted plan must be submitted to the towns, cities, counties, and other agencies for review in accordance with the provisions of subdivisions 7 to 9.

History: 1987 c 207 s 12