

CHAPTER 112

WATERSHEDS

112.61 Funds of district.
112.611 Budget; tax levy.

112.73 Annual audit.

112.61 FUNDS OF DISTRICT.

[For text of subd 1, see M.S.1988]

Subd. 2. Organizational expense fund. The organizational expense fund consists of an ad valorem tax levy, not to exceed 0.01596 percent of taxable market value, or \$60,000, whichever is less. The funds shall be used for organizational expenses and preparation of an overall plan for projects and improvements. The managers of the district may borrow from the affected counties up to 75 percent of the anticipated funds to be collected from the organizational expense fund levy and the counties affected may make the advancements. The advancement of anticipated funds shall be apportioned among affected counties in the same ratio as the net tax capacity of the area of the counties within the district bears to the net tax capacity of the entire district. If an established district is enlarged, an organizational expense fund may be levied against the area added to the district in the way provided in this subdivision. Unexpended funds collected for the organizational expense may be transferred to the administrative fund and used for the purposes authorized for it.

Subd. 3. Administrative fund. The administrative fund consists of an ad valorem tax levy not to exceed 0.02418 percent of taxable market value, or \$125,000, whichever is less. The funds shall be used for general administrative expenses and to construct and maintain projects of common benefit to the district. The managers may make an annual levy for this fund as provided in section 112.611. In addition to the annual administrative levy, the managers may annually levy a tax not to exceed 0.00798 percent of taxable market value for a period of not to exceed 15 consecutive years to pay the cost attributable to the basic water management features of projects initiated by petition of a municipality of the district.

[For text of subds 4 to 7, see M.S.1988]

Subd. 8. Survey and data acquisition fund. The survey and data acquisition fund is established or used only when no other funds are available to the district to pay to make necessary surveys and acquire data. The fund consists of the proceeds of a property tax, which can be levied not more than once every five years, not to exceed 0.02418 percent of taxable market value. The balance of the survey and data acquisition fund must never exceed \$50,000. In a subsequent proceeding for a work where a survey has been made, the attributable cost of the survey as determined by the managers shall be included as a part of the cost of the work and repaid to the survey and data acquisition fund.

History: 1989 c 277 art 4 s 8-10; 1989 c 329 art 15 s 20

112.611 BUDGET; TAX LEVY.

Subdivision 1. Budget procedures. On or before October 1 of each year the managers shall adopt a budget for the ensuing year and decide the total amount necessary to be raised from ad valorem tax levies to meet its budget. Before adopting a budget the managers shall hold a public hearing on the proposed budget. The managers shall publish a notice of the hearing together with a summary of the proposed budget in one or more newspapers of general circulation in each county into which the watershed district extends. The notice and summary must be published once each week for two successive weeks before the hearing. The last publication must be at least two days before the hearing.

After adoption of the budget and no later than October 1, the secretary of the district shall certify to the auditor of each county within the district the county's share of the tax. The share must be an amount bearing the same proportion to the total levy as the net tax capacity of the area of the county within the watershed bears to the net tax capacity of the entire watershed district. The maximum amount of any levy must not exceed that provided for in section 112.61.

[For text of subd 2, see M.S.1988]

History: 1989 c 329 art 13 s 20

112.73 ANNUAL AUDIT.

The managers shall make the reports demanded by the state auditor. The managers shall have the books and accounts of the district audited annually. The audit may be made by either a public accountant or by the state auditor. If the audit is to be made by the state auditor it must be initiated by a petition of the resident freeholders of the district or resolution of the managers of the watershed district requesting the audit under the authority granted municipalities under sections 6.54 and 6.55. If the audit is made by the state auditor the district receiving the examination shall pay to the state the total cost and expenses of the examination, including the salaries paid to the examiners while actually engaged in making the examination. The general fund must be credited with all collections made for the examinations.

History: 1989 c 335 art 4 s 32