

**103A.301 DEFINITIONS.**

Subdivision 1. **Applicability.** The definitions in this section apply to sections 103A.301 to 103A.341.

Subd. 2. **Agency.** "Agency" means a state officer, board, commission, bureau, division, or agency, other than a court, exercising duty or authority under laws listed in section 103A.305.

Subd. 3. **Board.** "Board" means the Board of Water and Soil Resources.

Subd. 4. **Court.** "Court" means the district court or a judge of the district court before whom the proceeding is pending.

Subd. 5. **Proceeding.** "Proceeding" means a procedure under any of the laws listed in section 103A.305 that involves administrative discretion or duty.

Subd. 6. **Question of water policy.** "Question of water policy" means a question of water law and policy in which use, disposal, pollution, or conservation of water is a factor in a proceeding, including:

(1) determination of the governing policy of state law in the proceeding and resolution of apparent inconsistencies between different statutes; or

(2) the proper application of the policy of state law to facts in the proceeding if application is a matter of administrative discretion.

**History:** 1990 c 391 art 1 s 11