

1.1 A bill for an act

1.2 relating to waters; requiring watershed districts to submit information to counties;
1.3 requiring county approval of levies and fees; amending Minnesota Statutes 2008,
1.4 sections 103D.351; 103D.911, subdivision 2; 103D.915, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2008, section 103D.351, is amended to read:

1.7 **103D.351 ANNUAL REPORT.**

1.8 (a) The managers must prepare a yearly report of the financial conditions of the
1.9 watershed district, the status of all projects, the business transacted by the watershed
1.10 district, other matters affecting the interests of the watershed district, and a discussion of
1.11 the managers' plans for the succeeding year.

1.12 (b) Copies of the report must be transmitted to the Board of Water and Soil
1.13 Resources, the commissioner, ~~and~~ the director, and the county board of each county in
1.14 the watershed within a reasonable time.

1.15 Sec. 2. Minnesota Statutes 2008, section 103D.911, subdivision 2, is amended to read:

1.16 Subd. 2. **Adoption; approval of county.** (a) On or before ~~September 15~~ August
1.17 15 of each year, the managers shall adopt a budget for the next year ~~and~~, decide on a
1.18 revenue plan, which includes the total amount necessary to be raised from ad valorem tax
1.19 levies, fees, or other assessments to meet the watershed district's budget, and submit a
1.20 copy of the budget and revenue plan to the county board of each county in the watershed
1.21 district for review.

2.1 (b) The county board of each county in the watershed district must approve the
2.2 watershed district's revenue plan. When a watershed district is located in more than one
2.3 county, the following process for granting approval of a revenue plan applies:

2.4 (1) when there is an odd number of counties, a majority of the counties must
2.5 approve, with each county having a vote as determined under paragraph (c); or

2.6 (2) when there is an even number of counties, a majority of the county board
2.7 members from all of the counties must approve, with each county board member having a
2.8 vote as determined under paragraph (c).

2.9 (c) When a county is located entirely within a watershed district, the county or board
2.10 member shall get a vote equal to one. When a portion of the county is located within a
2.11 watershed district, the county or board member shall get a vote equal to .75, .5, or .25, to
2.12 be determined by the Board of Water and Soil Resources based upon the percentage of the
2.13 county's land within the watershed district.

2.14 (d) Failure of a county to approve or disapprove the revenue plan in writing within
2.15 30 days of receiving the plan is deemed to be approval.

2.16 Sec. 3. Minnesota Statutes 2008, section 103D.915, subdivision 1, is amended to read:

2.17 Subdivision 1. **Certification to auditor.** After adoption of the budget and approval
2.18 of the revenue plan by the county, and no later than September 15, the secretary of the
2.19 watershed district shall certify to the auditor of each county within the watershed district
2.20 the county's share of the tax, which shall be an amount bearing the same proportion to
2.21 the total levy as the net tax capacity of the area of the county within the watershed bears
2.22 to the net tax capacity of the entire watershed district. The maximum amount of a levy
2.23 may not exceed the amount provided in section 103D.905.