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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1930**

March 12, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

March 15, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Local Government and Metropolitan Affairs

1.1 A bill for an act
1.2 relating to waters; improving oversight of local government water management;
1.3 appropriating money; proposing coding for new law in Minnesota Statutes,
1.4 chapter 103B.

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

1.6 Section 1. **[103B.102] LOCAL WATER MANAGEMENT ACCOUNTABILITY**
1.7 **AND OVERSIGHT.**

1.8 **Subdivision 1. Findings; improving accountability and oversight.** The legislature
1.9 finds that a process is needed to monitor the performance and activities of local water
1.10 management entities. The process should be preemptive so that problems can be identified
1.11 early and systematically. Underperforming entities should be provided assistance and
1.12 direction for improving performance in a reasonable time frame.

1.13 **Subd. 2. Definitions.** For the purposes of this section, "local water management
1.14 entities" means watershed districts, soil and water conservation districts, metropolitan
1.15 water management organizations, and counties operating separately or jointly in their
1.16 role as local water management authorities under chapter 103B, 103C, 103D, or 103G
1.17 and chapter 114D.

1.18 **Subd. 3. Standards; rulemaking.** The Board of Water and Soil Resources shall
1.19 establish performance and operational standards for local water management entities. The
1.20 standards are exempt from the rulemaking requirements of chapter 14 and section 14.386
1.21 does not apply. After January 1, 2010, the board may adopt rules according to chapter 14
1.22 establishing additional requirements or standards.

1.23 **Subd. 4. Evaluation and report.** The Board of Water and Soil Resources shall
1.24 evaluate performance, financial, and activity information for each local water management

2.1 entity. The board shall evaluate the entities' progress in accomplishing their adopted
2.2 plans on a regular basis, but not less than once every five years. The board shall maintain
2.3 a summary of local water management entity performance on the board's Web site. On
2.4 a biennial basis, the board shall provide an analysis of local water management entity
2.5 performance to the chairs of the house and senate committees having jurisdiction over
2.6 environment and natural resources policy.

2.7 Subd. 5. **Corrective actions.** (a) In addition to other authorities, the Board of Water
2.8 and Soil Resources may, based on its evaluation in subdivision 4, reduce, withhold, or
2.9 redirect grants and other funding if the local water management entity has not corrected
2.10 deficiencies as prescribed in a notice from the board within one year from the date of
2.11 the notice.

2.12 (b) The board may defer a decision on a termination petition filed under section
2.13 103B.221, 103C.225, or 103D.271 for up to one year to conduct or update the evaluation
2.14 under subdivision 4 or to communicate the results of the evaluation to petitioners or to
2.15 local and state government agencies.

2.16 **Sec. 2. APPROPRIATION.**

2.17 \$370,000 in fiscal year 2008 and \$381,000 in fiscal year 2009 are appropriated from
2.18 the general fund to the Board of Water and Soil Resources for evaluating and reporting on
2.19 performance, financial, and activity information of local water management entities.