

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE NO. 3564

March 9, 2010

Authored by Abeler, Hackbarth and Dittrich

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

1.1 A bill for an act
1.2 relating to local government; abolishing the Three Rivers Park District; repealing
1.3 Minnesota Statutes 2008, sections 383B.68; 383B.70; 383B.702; 383B.703;
1.4 383B.71; 383B.73, subdivision 1; Minnesota Statutes 2009 Supplement, section
1.5 383B.72.

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

1.7 Section 1. **THREE RIVERS PARK DISTRICT ABOLISHED.**

1.8 The Three Rivers Park District is abolished, effective December 31, 2011. The park
1.9 district must dispose of all assets and liabilities by December 31, 2011. The park district
1.10 must offer to transfer park land, including all betterments and improvements, to the city,
1.11 town, or county in which the park land is located. Any assets and liabilities not transferred
1.12 to cities, towns, or counties are transferred to the commissioner of natural resources.

1.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.14 Sec. 2. **REPEALER.**

1.15 Minnesota Statutes 2008, sections 383B.68; 383B.70; 383B.702; 383B.703;
1.16 383B.71; and 383B.73, subdivision 1, are repealed.

1.17 Minnesota Statutes 2009 Supplement, section 383B.72, is repealed.

1.18 **EFFECTIVE DATE.** This section is effective December 31, 2011.

383B.68 SEVEN HENNEPIN REGIONAL PARK DISTRICT COMMISSIONERS.

Subdivision 1. **As provided in this section.** Notwithstanding any provision of sections 398.02 to 398.04, or any other law to the contrary, the Board of Park District Commissioners of the Three Rivers Park District shall consist of seven commissioners appointed or elected as provided in this section.

Subd. 2. **Two residents appointed by county board.** Two park district commissioners shall be appointed by the Board of Commissioners of Hennepin County. An appointee must be a resident of the Three Rivers Park District in order to qualify and serve as a park district commissioner. Each park district commissioner appointed pursuant to this subdivision shall serve for a four-year term. If a vacancy occurs among the commissioners appointed pursuant to this subdivision, the Board of Commissioners of Hennepin County shall appoint a successor.

Subd. 3. **Five elected from outside Minneapolis.** Five park district commissioners shall be elected as provided in this subdivision to represent those portions of Hennepin County outside of the city of Minneapolis. One park district commissioner shall be elected without party designation from each of the districts established pursuant to subdivision 4. Elections under this subdivision shall be held at the same time and in the same manner as elections for the office of county commissioner beginning at the 1986 general election. Each park district commissioner elected pursuant to this subdivision shall be a resident of the district represented and shall serve for a term of four years and until a successor is elected and qualifies, except that the term of office of each park district commissioner elected at the general election held in the year of a federal census shall be only two years and until a successor is elected and qualifies. At the general election following redistricting as required in subdivision 4, the three commissioners from odd-numbered districts shall be elected for four-year terms and the two commissioners from even-numbered districts shall be elected for two-year terms. If a vacancy occurs in the office of any commissioner elected pursuant to this subdivision, the Board of Park District Commissioners shall appoint a successor residing in that district to fill the unexpired term.

Subd. 4. **Decennial redistricting.** After September 1, 1985, and after at least 30 days' notice and public hearing, the Board of Park District Commissioners of the Three Rivers Park District shall divide the territory of Hennepin County outside the city of Minneapolis into five districts, which constitute the Three Rivers Park District. Each district shall be composed of contiguous territory as regular and compact in form as practicable and as nearly equal in population as possible, provided that no district shall vary in population more than ten percent from the average of all the districts, unless compliance with this requirement requires division of a voting precinct. After each federal census and by the date prescribed for redistricting of election districts in section 204B.135, subdivision 2, after at least 30 days' notice and public hearing, the Board of Park District Commissioners of the Three Rivers Park District shall redistrict the territory of the Three Rivers Park District into new commissioner districts as necessary to comply with the provisions of this subdivision. The districts established pursuant to this subdivision shall remain effective until new districts are established. Any person aggrieved by a districting plan established pursuant to this subdivision may challenge the plan in the same manner as a county commissioner districting plan may be challenged pursuant to section 375.025. The district court in reviewing any challenge to a districting plan under this subdivision shall proceed in the manner prescribed by section 375.025. Each districting plan established pursuant to this subdivision shall be filed in the office of the director of finance of Hennepin County or any successor office and shall be effective 31 days after its publication in a newspaper of general circulation in the county.

383B.70 COMPENSATION OF COMMISSIONERS.

Notwithstanding the provisions of section 398.05 or any other law, the compensation of commissioners of the Three Rivers Park District must be set by the Board of Park Commissioners.

383B.702 DEPOSITORIES.

Notwithstanding section 398.18, the Three Rivers Park District may exercise the powers of a municipality under chapter 118A.

383B.703 DISTRICT RENAMING.

The Suburban Hennepin Regional Park District, a local government unit organized and existing under the provisions of sections 398.01 to 398.36, is renamed the Three Rivers Park District. The district so named is the legal successor in all respects of the Suburban Hennepin

APPENDIX

Repealed Minnesota Statutes: 10-5856

Regional Park District as previously named and constituted. All bonds, resolutions, contracts, and liabilities of the Suburban Hennepin Regional Park District are the bonds, resolutions, contracts, and liabilities of the Three Rivers Park District as so renamed and reconstituted. The boundaries of the Three Rivers Park District shall include all of Hennepin County except the city of Minneapolis.

383B.71 TRAIL SYSTEM.

In addition to the authority granted by chapter 398, the Three Rivers Park District is authorized to acquire, establish, operate, and maintain trail systems.

383B.72 LAND ACQUISITION; TOWN CONSENT.

Notwithstanding the provisions of section 398.09, the Board of Park District Commissioners of the Three Rivers Park District, before acquiring by purchase or condemnation real estate located within the boundaries of any organized town in Hennepin County, shall secure the consent of the town board of such town to such acquisition, by resolution duly adopted by such board.

383B.73 PARK DISTRICT TAX LEVY.

Subdivision 1. **Levy.** To provide funds for the purposes of the Three Rivers Park District as set forth in its annual budget, in lieu of the levies authorized by any other special law for such purposes, the Board of Park District Commissioners may levy taxes on all the taxable property in the county and park district at a rate not exceeding 0.03224 percent of market value. Notwithstanding section 398.16, on or before October 1 of each year, after public hearing, the Board of Park District Commissioners shall adopt a budget for the ensuing year and shall determine the total amount necessary to be raised from ad valorem tax levies to meet its budget. The Board of Park District Commissioners shall submit the budget to the county board. The county board may veto or modify an item contained in the budget. If the county board determines to veto or to modify an item in the budget, it must, within 15 days after the budget was submitted by the district board, state in writing the specific reasons for its objection to the item vetoed or the reason for the modification. The Park District Board, after consideration of the county board's objections and proposed modifications, may reapprove a vetoed item or the original version of an item with respect to which a modification has been proposed, by a two-thirds majority. If the district board does not reapprove a vetoed item, the item shall be deleted from the budget. If the district board does not reapprove the original version of a modified item, the item shall be included in the budget as modified by the county board. After adoption of the final budget and no later than October 1, the superintendent of the park district shall certify to the office of the Hennepin County director of tax and public records exercising the functions of the county auditor the total amount to be raised from ad valorem tax levies to meet its budget for the ensuing year. The director of tax and public records shall add the amount of any levy certified by the district to other tax levies on the property of the county within the district for collection by the director of tax and public records with other taxes. When collected, the director shall make settlement of such taxes with the district in the same manner as other taxes are distributed to the other political subdivisions in Hennepin County.