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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1674

- 03/10/2015 Authored by Sundin and Rarick
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
- 03/30/2016 Adoption of Report: Placed on the General Register
Read Second Time
- 04/26/2016 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate
- 05/04/2016 Passed by the Senate and returned to the House
Presented to Governor
- 05/06/2016 Governor Approval

1.1 A bill for an act
 1.2 relating to state government; modifying procedures for creation, annexation,
 1.3 detachment, and dissolution of sanitary districts; modifying filing and
 1.4 hearing requirements; amending Minnesota Statutes 2014, sections 442A.04,
 1.5 subdivisions 2, 3, 8, 9; 442A.05, subdivisions 2, 4, 9, 10; 442A.06, subdivisions
 1.6 2, 4, 9, 10; 442A.07, subdivisions 2, 3, 8, 9; 442A.08; 442A.13, subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2014, section 442A.04, subdivision 2, is amended to read:

1.9 Subd. 2. **Proceeding to create sanitary district.** (a) A proceeding for the creation
 1.10 of a district may be initiated by a petition to the chief administrative law judge containing
 1.11 the following:

- 1.12 (1) a request for creation of the proposed district;
- 1.13 (2) the name proposed for the district, to include the words "sanitary district";
- 1.14 (3) a legal description of the territory of the proposed district, ~~including justification~~
 1.15 ~~for inclusion or exclusion for all parcels;~~
- 1.16 (4) addresses of every property owner within the proposed district boundaries as
 1.17 provided by the county auditor, with certification from the county auditor; two sets of
 1.18 address labels for said owners; and a list of e-mail addresses for said owners, if available;
- 1.19 (5) a statement showing the existence in the territory of the conditions requisite for
 1.20 creation of a district as prescribed in subdivision 1;
- 1.21 (6) a statement of the territorial units represented by and the qualifications of the
 1.22 respective signers; and
- 1.23 (7) the post office address of each signer, given under the signer's signature.

2.1 A petition may consist of separate writings of like effect, each signed by one or more
2.2 qualified persons, and all such writings, when filed, shall be considered together as a
2.3 single petition.

2.4 (b) Petitioners must conduct and pay for a public meeting to inform citizens of the
2.5 proposed creation of the district. At the meeting, information must be provided, including
2.6 a description of the district's proposed structure, bylaws, territory, ordinances, budget, and
2.7 charges and a description of the territory of the proposed district, ~~including justification~~
2.8 ~~for inclusion or exclusion for all parcels~~. Notice of the meeting must be published for
2.9 two successive weeks in a qualified newspaper, as defined under chapter 331A, must
2.10 be published within the territory of the proposed district or, if there is no qualified
2.11 newspaper published within the territory, in a qualified newspaper of general circulation
2.12 in the territory, and must be posted for two weeks in each territorial unit of the proposed
2.13 district and on the Web site of the proposed district, if one exists. Notice of the meeting
2.14 must be mailed or e-mailed at least three weeks prior to the meeting to all property tax
2.15 billing addresses for all parcels included in the proposed district. The following must be
2.16 submitted to the chief administrative law judge with the petition:

2.17 (1) a record of the meeting, including copies of all information provided at the
2.18 meeting;

2.19 (2) a copy of the mailing list provided by the county auditor and used to notify
2.20 property owners of the meeting;

2.21 (3) a copy of the e-mail list used to notify property owners of the meeting;

2.22 (4) the printer's affidavit of publication of public meeting notice;

2.23 (5) an affidavit of posting the public meeting notice with information on dates and
2.24 locations of posting; and

2.25 (6) the minutes or other record of the public meeting documenting ~~that the following~~
2.26 ~~topics that were discussed;~~ printer's affidavit of publication of each resolution, with a
2.27 copy of the resolution from the newspaper attached; and the affidavit of resolution posting
2.28 on the town or proposed district Web site.

2.29 (c) Every petition must be signed as follows:

2.30 (1) for each municipality wherein there is a territorial unit of the proposed district,
2.31 by an authorized officer pursuant to a resolution of the municipal governing body;

2.32 (2) for each organized town wherein there is a territorial unit of the proposed district,
2.33 by an authorized officer pursuant to a resolution of the town board; and

2.34 (3) for each county wherein there is a territorial unit of the proposed district consisting
2.35 of an unorganized area, by an authorized officer pursuant to a resolution of the county
2.36 board or by at least 20 percent of the voters residing and owning land within the unit.

3.1 (d) Each resolution must be published in the official newspaper of the governing
 3.2 body adopting it and becomes effective 40 days after publication, unless within said
 3.3 period there shall be filed with the governing body a petition signed by qualified electors
 3.4 of a territorial unit of the proposed district, equal in number to five percent of the number
 3.5 of electors voting at the last preceding election of the governing body, requesting a
 3.6 referendum on the resolution, in which case the resolution may not become effective until
 3.7 approved by a majority of the qualified electors voting at a regular election or special
 3.8 election that the governing body may call. The notice of an election and the ballot to be
 3.9 used must contain the text of the resolution followed by the question: "Shall the above
 3.10 resolution be approved?"

3.11 (e) If any signer is alleged to be a landowner in a territorial unit, a statement as to
 3.12 the signer's landowner status as shown by the county auditor's tax assessment records,
 3.13 certified by the auditor, shall be attached to or endorsed upon the petition.

3.14 (f) At any time before publication of the public notice required in subdivision 3,
 3.15 additional signatures may be added to the petition or amendments of the petition may
 3.16 be made to correct or remedy any error or defect in signature or otherwise except a
 3.17 material error or defect in the description of the territory of the proposed district. If the
 3.18 qualifications of any signer of a petition are challenged, the chief administrative law judge
 3.19 shall determine the challenge forthwith on the allegations of the petition, the county
 3.20 auditor's certificate of land ownership, and such other evidence as may be received.

3.21 Sec. 2. Minnesota Statutes 2014, section 442A.04, subdivision 3, is amended to read:

3.22 Subd. 3. **Notice of intent to create sanitary district.** (a) Upon receipt of a petition
 3.23 and the record of the public meeting required under subdivision 2, the chief administrative
 3.24 law judge shall publish a notice of intent to create the proposed sanitary district in ~~the~~
 3.25 State Register a newspaper of general circulation within the territory of the proposed
 3.26 district, and mail or e-mail information of that publication to each property owner in the
 3.27 affected territory at the owner's address as given by the county auditor. ~~The information~~
 3.28 ~~must state the date that the notice will appear in the State Register and give the Web site~~
 3.29 ~~location for the State Register.~~ The notice must:

- 3.30 (1) describe the petition for creation of the district;
 3.31 (2) describe the territory affected by the petition;
 3.32 (3) allow 30 days for submission of written comments on the petition;
 3.33 (4) state that a person who objects to the petition may submit a written request for
 3.34 hearing to the chief administrative law judge within 30 days of the publication of the
 3.35 notice ~~in the State Register~~; and

4.1 (5) state that if a timely request for hearing is not received, the chief administrative
 4.2 law judge may make a decision on the petition.

4.3 (b) If 50 or more individual timely requests for hearing are received, the chief
 4.4 administrative law judge must hold a hearing on the petition according to the contested
 4.5 case provisions of chapter 14. The sanitary district proposers are responsible for paying all
 4.6 costs involved in publicizing and holding a hearing on the petition.

4.7 Sec. 3. Minnesota Statutes 2014, section 442A.04, subdivision 8, is amended to read:

4.8 Subd. 8. **Notice of order creating sanitary district.** The chief administrative law
 4.9 judge shall publish a notice ~~in the State Register~~ of the final order creating a sanitary
 4.10 district, ~~referring to the date of the order and describing the territory of the district, in a~~
 4.11 newspaper of general circulation within the territory of the proposed district, and shall
 4.12 mail or e-mail information of the publication a notice of the final order creating a sanitary
 4.13 district to each property owner in the affected territory at the owner's address as given by
 4.14 the county auditor. ~~The information must state the date that the notice will appear in the~~
 4.15 ~~State Register and give the Web site location for the State Register.~~ The notice must:

- 4.16 (1) describe the petition for creation of the district;
 4.17 (2) describe the territory affected by the petition; and
 4.18 (3) state that a certified copy of the order shall be delivered to the secretary of state
 4.19 for filing ten days after ~~public notice~~ publication of the order ~~in the State Register~~.

4.20 Sec. 4. Minnesota Statutes 2014, section 442A.04, subdivision 9, is amended to read:

4.21 Subd. 9. **Filing.** Ten days after ~~public notice~~ publication of the order ~~in the State~~
 4.22 ~~Register~~, the chief administrative law judge shall deliver a certified copy of the order to
 4.23 the secretary of state for filing. Thereupon, the creation of the district is deemed complete,
 4.24 and it shall be conclusively presumed that all requirements of law relating thereto have
 4.25 been complied with. The chief administrative law judge shall also transmit a certified copy
 4.26 of the order for filing to the county auditor of each county and the clerk or recorder of
 4.27 each municipality and organized town wherein any part of the territory of the district is
 4.28 situated and to the secretary of the district board when elected.

4.29 Sec. 5. Minnesota Statutes 2014, section 442A.05, subdivision 2, is amended to read:

4.30 Subd. 2. **Proceeding for annexation.** (a) A proceeding for sanitary district
 4.31 annexation may be initiated by a petition to the chief administrative law judge containing
 4.32 the following:

- 4.33 (1) a request for proposed annexation to a sanitary district;

5.1 (2) a legal description of the territory of the proposed annexation, ~~including~~
5.2 ~~justification for inclusion or exclusion for all parcels;~~

5.3 (3) addresses of every property owner within the existing sanitary district and
5.4 proposed annexation area boundaries as provided by the county auditor, with certification
5.5 from the county auditor; two sets of address labels for said owners; and a list of e-mail
5.6 addresses for said owners, if available;

5.7 (4) a statement showing the existence in such territory of the conditions requisite
5.8 for annexation to a district as prescribed in subdivision 1;

5.9 (5) a statement of the territorial units represented by and qualifications of the
5.10 respective signers; and

5.11 (6) the post office address of each signer, given under the signer's signature.

5.12 A petition may consist of separate writings of like effect, each signed by one or more
5.13 qualified persons, and all such writings, when filed, shall be considered together as a
5.14 single petition.

5.15 (b) Petitioners must conduct and pay for a public meeting to inform citizens of the
5.16 proposed annexation to a sanitary district. At the meeting, information must be provided,
5.17 including a description of the existing sanitary district's structure, bylaws, territory,
5.18 ordinances, budget, and charges; a description of the existing sanitary district's territory;
5.19 and a description of the territory of the proposed annexation area, ~~including justification~~
5.20 ~~for inclusion or exclusion for all parcels for the annexation area.~~ Notice of the meeting
5.21 must be published for two successive weeks in a qualified newspaper, as defined under
5.22 chapter 331A, must be published within the territories of the existing sanitary district and
5.23 proposed annexation area or, if there is no qualified newspaper published within those
5.24 territories, in a qualified newspaper of general circulation in the territories, and must be
5.25 posted for two weeks in each territorial unit of the existing sanitary district and proposed
5.26 annexation area and on the Web site of the existing sanitary district, if one exists. Notice
5.27 of the meeting must be mailed or e-mailed at least three weeks prior to the meeting to all
5.28 property tax billing addresses for all parcels included in the existing sanitary district and
5.29 proposed annexation area. The following must be submitted to the chief administrative
5.30 law judge with the petition:

5.31 (1) a record of the meeting, including copies of all information provided at the
5.32 meeting;

5.33 (2) a copy of the mailing list provided by the county auditor and used to notify
5.34 property owners of the meeting;

5.35 (3) a copy of the e-mail list used to notify property owners of the meeting;

5.36 (4) the printer's affidavit of publication of the public meeting notice;

6.1 (5) an affidavit of posting the public meeting notice with information on dates and
6.2 locations of posting; and

6.3 (6) the minutes or other record of the public meeting documenting that the following
6.4 topics were discussed; printer's affidavit of publication of each resolution, with a copy of
6.5 the resolution from the newspaper attached; and the affidavit of resolution posting on the
6.6 town or existing sanitary district Web site.

6.7 (c) Every petition must be signed as follows:

6.8 (1) by an authorized officer of the existing sanitary district pursuant to a resolution
6.9 of the board;

6.10 (2) for each municipality wherein there is a territorial unit of the proposed annexation
6.11 area, by an authorized officer pursuant to a resolution of the municipal governing body;

6.12 (3) for each organized town wherein there is a territorial unit of the proposed
6.13 annexation area, by an authorized officer pursuant to a resolution of the town board; and

6.14 (4) for each county wherein there is a territorial unit of the proposed annexation area
6.15 consisting of an unorganized area, by an authorized officer pursuant to a resolution of the
6.16 county board or by at least 20 percent of the voters residing and owning land within the unit.

6.17 (d) Each resolution must be published in the official newspaper of the governing
6.18 body adopting it and becomes effective 40 days after publication, unless within said
6.19 period there shall be filed with the governing body a petition signed by qualified electors
6.20 of a territorial unit of the proposed annexation area, equal in number to five percent of the
6.21 number of electors voting at the last preceding election of the governing body, requesting
6.22 a referendum on the resolution, in which case the resolution may not become effective
6.23 until approved by a majority of the qualified electors voting at a regular election or special
6.24 election that the governing body may call. The notice of an election and the ballot to be
6.25 used must contain the text of the resolution followed by the question: "Shall the above
6.26 resolution be approved?"

6.27 (e) If any signer is alleged to be a landowner in a territorial unit, a statement as to
6.28 the signer's landowner status as shown by the county auditor's tax assessment records,
6.29 certified by the auditor, shall be attached to or endorsed upon the petition.

6.30 (f) At any time before publication of the public notice required in subdivision 4,
6.31 additional signatures may be added to the petition or amendments of the petition may be
6.32 made to correct or remedy any error or defect in signature or otherwise except a material
6.33 error or defect in the description of the territory of the proposed annexation area. If the
6.34 qualifications of any signer of a petition are challenged, the chief administrative law judge
6.35 shall determine the challenge forthwith on the allegations of the petition, the county
6.36 auditor's certificate of land ownership, and such other evidence as may be received.

7.1 Sec. 6. Minnesota Statutes 2014, section 442A.05, subdivision 4, is amended to read:

7.2 Subd. 4. **Notice of intent for sanitary district annexation.** (a) Upon receipt
7.3 of a petition and the record of public meeting required under subdivision 2, the chief
7.4 administrative law judge shall publish a notice of intent for sanitary district annexation in
7.5 ~~the State Register~~ a newspaper of general circulation within the territories of the existing
7.6 sanitary district and proposed annexation area, and mail or e-mail information of the
7.7 publication to each property owner in the affected territory at the owner's address as given
7.8 by the county auditor. ~~The information must state the date that the notice will appear in~~
7.9 ~~the State Register and give the Web site location for the State Register.~~ The notice must:

7.10 (1) describe the petition for sanitary district annexation;

7.11 (2) describe the territory affected by the petition;

7.12 (3) allow 30 days for submission of written comments on the petition;

7.13 (4) state that a person who objects to the petition may submit a written request for
7.14 hearing to the chief administrative law judge within 30 days of the publication of the
7.15 notice ~~in the State Register~~; and

7.16 (5) state that if a timely request for hearing is not received, the chief administrative
7.17 law judge may make a decision on the petition.

7.18 (b) If 50 or more individual timely requests for hearing are received, the chief
7.19 administrative law judge must hold a hearing on the petition according to the contested case
7.20 provisions of chapter 14. The sanitary district or annexation area proposers are responsible
7.21 for paying all costs involved in publicizing and holding a hearing on the petition.

7.22 Sec. 7. Minnesota Statutes 2014, section 442A.05, subdivision 9, is amended to read:

7.23 Subd. 9. **Notice of order for sanitary district annexation.** The chief administrative
7.24 law judge shall publish in ~~the State Register~~ a newspaper of general circulation within the
7.25 territory of the proposed district, a notice of the final order for sanitary district annexation,
7.26 referring to the date of the order and describing the territory of the annexation area, and
7.27 shall mail or e-mail ~~information of the publication~~ a notice of final order for sanitary
7.28 district annexation to each property owner in the affected territory at the owner's address as
7.29 given by the county auditor. ~~The information must state the date that the notice will appear~~
7.30 ~~in the State Register and give the Web site location for the State Register.~~ The notice must:

7.31 (1) describe the petition for annexation to the district;

7.32 (2) describe the territory affected by the petition; and

7.33 (3) state that a certified copy of the order shall be delivered to the secretary of state
7.34 for filing ten days after public publication of the notice of the order ~~in the State Register~~.

8.1 Sec. 8. Minnesota Statutes 2014, section 442A.05, subdivision 10, is amended to read:

8.2 Subd. 10. **Filing.** Ten days after ~~public mailing~~ notice of the order ~~in the State~~
 8.3 ~~Register~~, the chief administrative law judge shall deliver a certified copy of the order to
 8.4 the secretary of state for filing. Thereupon, the sanitary district annexation is deemed
 8.5 complete, and it shall be conclusively presumed that all requirements of law relating thereto
 8.6 have been complied with. The chief administrative law judge shall also transmit a certified
 8.7 copy of the order for filing to the county auditor of each county and the clerk or recorder
 8.8 of each municipality and organized town wherein any part of the territory of the district,
 8.9 including the newly annexed area, is situated and to the secretary of the district board.

8.10 Sec. 9. Minnesota Statutes 2014, section 442A.06, subdivision 2, is amended to read:

8.11 Subd. 2. **Proceeding for detachment.** (a) A proceeding for sanitary district
 8.12 detachment may be initiated by a petition to the chief administrative law judge containing
 8.13 the following:

8.14 (1) a request for proposed detachment from a sanitary district;

8.15 (2) a statement that the requisite conditions for inclusion in a district no longer exist
 8.16 in the proposed detachment area;

8.17 (3) a legal description of the territory of the proposed detachment, ~~including~~
 8.18 ~~justification for inclusion or exclusion for all parcels;~~

8.19 (4) addresses of every property owner within the sanitary district and proposed
 8.20 detachment area boundaries as provided by the county auditor, with certification from the
 8.21 county auditor; two sets of address labels for said owners; and a list of e-mail addresses
 8.22 for said owners, if available;

8.23 (5) a statement of the territorial units represented by and qualifications of the
 8.24 respective signers; and

8.25 (6) the post office address of each signer, given under the signer's signature.

8.26 A petition may consist of separate writings of like effect, each signed by one or more
 8.27 qualified persons, and all such writings, when filed, shall be considered together as a
 8.28 single petition.

8.29 (b) Petitioners must conduct and pay for a public meeting to inform citizens of
 8.30 the proposed detachment from a sanitary district. At the meeting, information must be
 8.31 provided, including a description of the existing district's territory and a description of
 8.32 the territory of the proposed detachment area, ~~including justification for inclusion or~~
 8.33 ~~exclusion for all parcels for the detachment area.~~ Notice of the meeting must be published
 8.34 for two successive weeks in a qualified newspaper, as defined under chapter 331A, must
 8.35 be published within the territories of the existing sanitary district and proposed detachment

9.1 area or, if there is no qualified newspaper published within those territories, in a qualified
9.2 newspaper of general circulation in the territories, and must be posted for two weeks in
9.3 each territorial unit of the existing sanitary district and proposed detachment area and on
9.4 the Web site of the existing sanitary district, if one exists. Notice of the meeting must be
9.5 mailed or e-mailed at least three weeks prior to the meeting to all property tax billing
9.6 addresses for all parcels included in the sanitary district. The following must be submitted
9.7 to the chief administrative law judge with the petition:

9.8 (1) a record of the meeting, including copies of all information provided at the
9.9 meeting;

9.10 (2) a copy of the mailing list provided by the county auditor and used to notify
9.11 property owners of the meeting;

9.12 (3) a copy of the e-mail list used to notify property owners of the meeting;

9.13 (4) the printer's affidavit of publication of public meeting notice;

9.14 (5) an affidavit of posting the public meeting notice with information on dates and
9.15 locations of posting; and

9.16 (6) the minutes or other record of the public meeting documenting ~~that the following~~
9.17 ~~topics were discussed;~~ printer's affidavit of publication of each resolution, with a copy of
9.18 the resolution from the newspaper attached; and the affidavit of resolution posting on the
9.19 town or existing sanitary district Web site.

9.20 (c) Every petition must be signed as follows:

9.21 (1) by an authorized officer of the existing sanitary district pursuant to a resolution
9.22 of the board;

9.23 (2) for each municipality wherein there is a territorial unit of the proposed detachment
9.24 area, by an authorized officer pursuant to a resolution of the municipal governing body;

9.25 (3) for each organized town wherein there is a territorial unit of the proposed
9.26 detachment area, by an authorized officer pursuant to a resolution of the town board; and

9.27 (4) for each county wherein there is a territorial unit of the proposed detachment area
9.28 consisting of an unorganized area, by an authorized officer pursuant to a resolution of the
9.29 county board or by at least 20 percent of the voters residing and owning land within the unit.

9.30 (d) Each resolution must be published in the official newspaper of the governing
9.31 body adopting it and becomes effective 40 days after publication, unless within said period
9.32 there shall be filed with the governing body a petition signed by qualified electors of a
9.33 territorial unit of the proposed detachment area, equal in number to five percent of the
9.34 number of electors voting at the last preceding election of the governing body, requesting
9.35 a referendum on the resolution, in which case the resolution may not become effective
9.36 until approved by a majority of the qualified electors voting at a regular election or special

10.1 election that the governing body may call. The notice of an election and the ballot to be
 10.2 used must contain the text of the resolution followed by the question: "Shall the above
 10.3 resolution be approved?"

10.4 (e) If any signer is alleged to be a landowner in a territorial unit, a statement as to
 10.5 the signer's landowner status as shown by the county auditor's tax assessment records,
 10.6 certified by the auditor, shall be attached to or endorsed upon the petition.

10.7 (f) At any time before publication of the public notice required in subdivision 4,
 10.8 additional signatures may be added to the petition or amendments of the petition may be
 10.9 made to correct or remedy any error or defect in signature or otherwise except a material
 10.10 error or defect in the description of the territory of the proposed detachment area. If the
 10.11 qualifications of any signer of a petition are challenged, the chief administrative law judge
 10.12 shall determine the challenge forthwith on the allegations of the petition, the county
 10.13 auditor's certificate of land ownership, and such other evidence as may be received.

10.14 Sec. 10. Minnesota Statutes 2014, section 442A.06, subdivision 4, is amended to read:

10.15 Subd. 4. **Notice of intent for sanitary district detachment.** (a) Upon receipt
 10.16 of a petition and record of public meeting required under subdivision 2, the chief
 10.17 administrative law judge shall publish a notice of intent for sanitary district detachment in
 10.18 ~~the State Register~~ a newspaper of general circulation within the territories of the existing
 10.19 sanitary district and proposed detachment area, and mail or e-mail information of the
 10.20 publication to each property owner in the affected territory at the owner's address as given
 10.21 by the county auditor. ~~The information must state the date that the notice will appear in~~
 10.22 ~~the State Register and give the Web site location for the State Register.~~ The notice must:

10.23 (1) describe the petition for sanitary district detachment;

10.24 (2) describe the territory affected by the petition;

10.25 (3) allow 30 days for submission of written comments on the petition;

10.26 (4) state that a person who objects to the petition may submit a written request for
 10.27 hearing to the chief administrative law judge within 30 days of the publication of the
 10.28 notice ~~in the State Register~~; and

10.29 (5) state that if a timely request for hearing is not received, the chief administrative
 10.30 law judge may make a decision on the petition.

10.31 (b) If 50 or more individual timely requests for hearing are received, the chief
 10.32 administrative law judge must hold a hearing on the petition according to the contested case
 10.33 provisions of chapter 14. The sanitary district or detachment area proposers are responsible
 10.34 for paying all costs involved in publicizing and holding a hearing on the petition.

11.1 Sec. 11. Minnesota Statutes 2014, section 442A.06, subdivision 9, is amended to read:

11.2 Subd. 9. **Notice of order for sanitary district detachment.** The chief administrative
 11.3 law judge shall publish in ~~the State Register~~ a newspaper of general circulation within the
 11.4 territory of the proposed district a notice of the final order for sanitary district detachment,
 11.5 referring to the date of the order and describing the territory of the detached area and shall
 11.6 mail or e-mail ~~information of the publication~~ a notice of the final order for sanitary district
 11.7 detachment to each property owner in the affected territory at the owner's address as given
 11.8 by the county auditor. ~~The information must state the date that the notice will appear in~~
 11.9 ~~the State Register and give the Web site location for the State Register.~~ The notice must:

11.10 (1) describe the petition for detachment from the district;

11.11 (2) describe the territory affected by the petition; and

11.12 (3) state that a certified copy of the order shall be delivered to the secretary of state
 11.13 for filing ten days after ~~public publication of~~ notice of the order in the State Register.

11.14 Sec. 12. Minnesota Statutes 2014, section 442A.06, subdivision 10, is amended to read:

11.15 Subd. 10. **Filing.** Ten days after ~~public publication of~~ notice of the order in the State
 11.16 ~~Register,~~ the chief administrative law judge shall deliver a certified copy of the order to
 11.17 the secretary of state for filing. Thereupon, the sanitary district detachment is deemed
 11.18 complete, and it shall be conclusively presumed that all requirements of law relating thereto
 11.19 have been complied with. The chief administrative law judge shall also transmit a certified
 11.20 copy of the order for filing to the county auditor of each county and the clerk or recorder
 11.21 of each municipality and organized town wherein any part of the territory of the district,
 11.22 including the newly detached area, is situated and to the secretary of the district board.

11.23 Sec. 13. Minnesota Statutes 2014, section 442A.07, subdivision 2, is amended to read:

11.24 Subd. 2. **Proceeding for dissolution.** (a) A proceeding for sanitary district
 11.25 dissolution may be initiated by a petition to the chief administrative law judge containing
 11.26 the following:

11.27 (1) a request for proposed sanitary district dissolution;

11.28 (2) a statement that the requisite conditions for a sanitary district no longer exist
 11.29 in the district area;

11.30 (3) a proposal for distribution of the remaining funds of the district, if any, among
 11.31 the related governmental subdivisions;

11.32 (4) a legal description of the territory of the proposed dissolution;

12.1 (5) addresses of every property owner within the sanitary district boundaries as
 12.2 provided by the county auditor, with certification from the county auditor; two sets of
 12.3 address labels for said owners; and a list of e-mail addresses for said owners, if available;

12.4 (6) a statement of the territorial units represented by and the qualifications of the
 12.5 respective signers; and

12.6 (7) the post office address of each signer, given under the signer's signature.

12.7 A petition may consist of separate writings of like effect, each signed by one or more
 12.8 qualified persons, and all such writings, when filed, shall be considered together as a
 12.9 single petition.

12.10 (b) Petitioners must conduct and pay for a public meeting to inform citizens of the
 12.11 proposed dissolution of a sanitary district. At the meeting, information must be provided,
 12.12 including a description of the existing district's territory. Notice of the meeting must be
 12.13 published for two successive weeks in a qualified newspaper, as defined under chapter
 12.14 331A, must be published within the territory of the sanitary district or, if there is no
 12.15 qualified newspaper published within that territory, in a qualified newspaper of general
 12.16 circulation in the territory, and must be posted for two weeks in each territorial unit of
 12.17 the sanitary district and on the Web site of the existing sanitary district, if one exists.
 12.18 Notice of the meeting must be mailed or e-mailed at least three weeks prior to the meeting
 12.19 to all property tax billing addresses for all parcels included in the sanitary district. The
 12.20 following must be submitted to the chief administrative law judge with the petition:

12.21 (1) a record of the meeting, including copies of all information provided at the
 12.22 meeting;

12.23 (2) a copy of the mailing list provided by the county auditor and used to notify
 12.24 property owners of the meeting;

12.25 (3) a copy of the e-mail list used to notify property owners of the meeting;

12.26 (4) the printer's affidavit of publication of public meeting notice;

12.27 (5) an affidavit of posting the public meeting notice with information on dates and
 12.28 locations of posting; and

12.29 (6) the minutes or other record of the public meeting documenting ~~that the following~~
 12.30 ~~topics were discussed;~~ printer's affidavit of publication of each resolution, with a copy of
 12.31 the resolution from the newspaper attached; and the affidavit of resolution posting on the
 12.32 town or existing sanitary district Web site.

12.33 (c) Every petition must be signed as follows:

12.34 (1) by an authorized officer of the existing sanitary district pursuant to a resolution
 12.35 of the board;

13.1 (2) for each municipality wherein there is a territorial unit of the existing sanitary
13.2 district, by an authorized officer pursuant to a resolution of the municipal governing body;

13.3 (3) for each organized town wherein there is a territorial unit of the existing sanitary
13.4 district, by an authorized officer pursuant to a resolution of the town board; and

13.5 (4) for each county wherein there is a territorial unit of the existing sanitary district
13.6 consisting of an unorganized area, by an authorized officer pursuant to a resolution of the
13.7 county board or by at least 20 percent of the voters residing and owning land within the unit.

13.8 (d) Each resolution must be published in the official newspaper of the governing body
13.9 adopting it and becomes effective 40 days after publication, unless within said period there
13.10 shall be filed with the governing body a petition signed by qualified electors of a territorial
13.11 unit of the district, equal in number to five percent of the number of electors voting at the
13.12 last preceding election of the governing body, requesting a referendum on the resolution,
13.13 in which case the resolution may not become effective until approved by a majority of the
13.14 qualified electors voting at a regular election or special election that the governing body
13.15 may call. The notice of an election and the ballot to be used must contain the text of the
13.16 resolution followed by the question: "Shall the above resolution be approved?"

13.17 (e) If any signer is alleged to be a landowner in a territorial unit, a statement as to
13.18 the signer's landowner status as shown by the county auditor's tax assessment records,
13.19 certified by the auditor, shall be attached to or endorsed upon the petition.

13.20 (f) At any time before publication of the public notice required in subdivision 3,
13.21 additional signatures may be added to the petition or amendments of the petition may be
13.22 made to correct or remedy any error or defect in signature or otherwise except a material
13.23 error or defect in the description of the territory of the proposed dissolution area. If the
13.24 qualifications of any signer of a petition are challenged, the chief administrative law judge
13.25 shall determine the challenge forthwith on the allegations of the petition, the county
13.26 auditor's certificate of land ownership, and such other evidence as may be received.

13.27 Sec. 14. Minnesota Statutes 2014, section 442A.07, subdivision 3, is amended to read:

13.28 Subd. 3. **Notice of intent for sanitary district dissolution.** (a) Upon receipt
13.29 of a petition and record of the public meeting required under subdivision 2, the chief
13.30 administrative law judge shall publish a notice of intent of sanitary district dissolution ~~in~~
13.31 ~~the State Register~~ in a newspaper of general circulation within the territory of the proposed
13.32 dissolution area, and mail or e-mail information of the publication to each property
13.33 owner in the affected territory at the owner's address as given by the county auditor. ~~The~~
13.34 ~~information must state the date that the notice will appear in the State Register and give~~
13.35 ~~the Web site location for the State Register.~~ The notice must:

- 14.1 (1) describe the petition for sanitary district dissolution;
- 14.2 (2) describe the territory affected by the petition;
- 14.3 (3) allow 30 days for submission of written comments on the petition;
- 14.4 (4) state that a person who objects to the petition may submit a written request for
- 14.5 hearing to the chief administrative law judge within 30 days of the publication of the
- 14.6 notice ~~in the State Register~~; and
- 14.7 (5) state that if a timely request for hearing is not received, the chief administrative
- 14.8 law judge may make a decision on the petition.
- 14.9 (b) If 50 or more individual timely requests for hearing are received, the chief
- 14.10 administrative law judge must hold a hearing on the petition according to the contested
- 14.11 case provisions of chapter 14. The sanitary district dissolution proposers are responsible
- 14.12 for paying all costs involved in publicizing and holding a hearing on the petition.

14.13 Sec. 15. Minnesota Statutes 2014, section 442A.07, subdivision 8, is amended to read:

- 14.14 Subd. 8. **Notice of order for sanitary district dissolution.** The chief administrative
- 14.15 law judge shall publish ~~in the State Register~~ a newspaper of general circulation within the
- 14.16 territory of the proposed district a notice of the final order for sanitary district dissolution,
- 14.17 referring to the date of the order and describing the territory of the dissolved district and
- 14.18 shall mail or e-mail ~~information of the publication~~ a notice of the final order for sanitary
- 14.19 district dissolution to each property owner in the affected territory at the owner's address as
- 14.20 given by the county auditor. ~~The information must state the date that the notice will appear~~
- 14.21 ~~in the State Register and give the Web site location of the State Register.~~ The notice must:
- 14.22 (1) describe the petition for dissolution of the district;
- 14.23 (2) describe the territory affected by the petition; and
- 14.24 (3) state that a certified copy of the order shall be delivered to the secretary of state
- 14.25 for filing ten days after ~~public publication of~~ public publication of notice of the order ~~in the State Register~~.

14.26 Sec. 16. Minnesota Statutes 2014, section 442A.07, subdivision 9, is amended to read:

- 14.27 Subd. 9. **Filing.** (a) Ten days after ~~public publication of~~ public publication of notice of the order ~~in the~~
- 14.28 ~~State Register~~, the chief administrative law judge shall deliver a certified copy of the order
- 14.29 to the secretary of state for filing. Thereupon, the sanitary district dissolution is deemed
- 14.30 complete, and it shall be conclusively presumed that all requirements of law relating
- 14.31 thereto have been complied with. The chief administrative law judge shall also transmit a
- 14.32 certified copy of the order for filing to the county auditor of each county and the clerk or
- 14.33 recorder of each municipality and organized town wherein any part of the territory of the
- 14.34 dissolved district is situated and to the secretary of the district board.

15.1 (b) The chief administrative law judge shall also transmit a certified copy of the order
15.2 to the treasurer of the district, who must thereupon distribute the remaining funds of the
15.3 district as directed by the order and who is responsible for the funds until so distributed.

15.4 Sec. 17. Minnesota Statutes 2014, section 442A.08, is amended to read:

15.5 **442A.08 JOINT PUBLIC INFORMATIONAL MEETING.**

15.6 In all cases that proceed to a contested case hearing, there must be a joint public
15.7 informational meeting of the local governments of any proposed sanitary district creation,
15.8 annexation, detachment, or dissolution. The joint public informational meeting must
15.9 be held after the final mediation meeting or the final meeting held according to section
15.10 442A.02, subdivision 8, if any, and before the hearing on the matter is held. If no
15.11 mediation meetings are held, the joint public informational meeting must be held after the
15.12 initiating documents have been filed and before the hearing on the matter. The time, date,
15.13 and place of the public informational meeting must be determined jointly by the local
15.14 governments in the proposed creation, annexation, detachment, or dissolution areas and by
15.15 the sanitary district, if one exists. The chair of the sanitary district, if one exists, and the
15.16 responsible official for one of the local governments represented at the meeting must serve
15.17 as the co-chairs for the informational meeting. Notice of the time, date, place, and purpose
15.18 of the informational meeting must be posted by the sanitary district, if one exists, and local
15.19 governments in designated places for posting notices. The sanitary district, if one exists,
15.20 and represented local governments must also publish, at their own expense, notice in their
15.21 respective official newspapers. If the same official newspaper is used by multiple local
15.22 government representatives or the sanitary district, a joint notice may be published and the
15.23 costs evenly divided. All notice required by this section must be provided at least ten days
15.24 before the date for the public informational meeting. At the public informational meeting,
15.25 all persons appearing must have an opportunity to be heard, but the co-chairs may, by
15.26 mutual agreement, establish the amount of time allowed for each speaker. The sanitary
15.27 district board, the local government representatives, and any resident or affected property
15.28 owner may be represented by counsel and may place into the record of the informational
15.29 meeting documents, expert opinions, or other materials supporting their positions on
15.30 issues raised by the proposed proceeding. The secretary of the sanitary district, if one
15.31 exists, or a person appointed by the chair must record minutes of the proceedings of the
15.32 informational meeting and must make an audio recording of the informational meeting.
15.33 The sanitary district, if one exists, or a person appointed by the chair must provide the
15.34 chief administrative law judge and the represented local governments with a copy of the
15.35 printed minutes and must provide the chief administrative law judge and the represented

16.1 local governments with a copy of the audio recording. The record of the informational
16.2 meeting for a proceeding under section 442A.04, 442A.05, 442A.06, or 442A.07 is
16.3 admissible in any proceeding under this chapter and shall be taken into consideration by
16.4 the chief administrative law judge or the chief administrative law judge's designee.

16.5 Sec. 18. Minnesota Statutes 2014, section 442A.13, subdivision 1, is amended to read:

16.6 Subdivision 1. **Hearings.** (a) Proceedings initiated by the submission of an initiating
16.7 document or by the chief administrative law judge shall ~~come on~~ be scheduled for hearing
16.8 within 30 to 60 days from receipt of the document by the chief administrative law judge or
16.9 from the date of the chief administrative law judge's action, and the person conducting the
16.10 hearing must submit an order no later than one year from the date of the first hearing.

16.11 (b) The place of the hearing shall be in the county where a majority of the affected
16.12 territory is situated, and shall be established for the convenience of the parties.

16.13 (c) The chief administrative law judge shall mail notice of the hearing to the
16.14 following parties: the sanitary district; any township or municipality presently governing
16.15 the affected territory; any township or municipality abutting the affected territory;
16.16 the county where the affected territory is situated; and each planning agency that has
16.17 jurisdiction over the affected area.

16.18 (d) The chief administrative law judge shall see that notice of the hearing is published
16.19 for two successive weeks in a legal newspaper of general circulation in the affected area.

16.20 (e) When the chief administrative law judge exercises authority to change the
16.21 boundaries of the affected area so as to increase the quantity of land, the hearing shall
16.22 be recessed and reconvened upon two weeks' published notice in a legal newspaper of
16.23 general circulation in the affected area.