

The commissioner of natural resources shall propose to the legislature in the departmental budget for the 1984-85 biennium that the following positions be added to the permanent complement of the department:

- (a) Three forest soil and hydrology specialists;
- (b) Two forest pest specialists;
- (c) One tree improvement specialist;
- (d) Four forest planners; and
- (e) Ten forest management specialists to provide technical assistance to private nonindustrial forest landowners throughout the state.

Sec. 35. Laws 1981, Chapter 305, Section 11, is amended to read:

**Sec. 11. EXTENSION OF CERTAIN TIMBER PERMITS.**

The commissioner of natural resources may extend for an additional period of not to exceed one year any timber permit issued pursuant to Minnesota Statutes, Section 90.194 Chapter 90, which expires during 1984 between January 1, 1981 and December 31, 1982. This extension shall be in addition to any extension previously granted pursuant to section 90.194 chapter 90; shall be made without additional charge, and shall otherwise be subject to the requirements of section 90.194 chapter 90.

**Sec. 36. REPEALER.**

Minnesota Statutes 1980, Sections 282.031, 282.032, 282.033, 282.034, 282.035, 282.036 and 282.037, are repealed.

**Sec. 37. EFFECTIVE DATE.**

Sections 10, 11, 14, 15, 16, 17, and 31 are effective July 1, 1983. The remaining sections of this act are effective the day following final enactment.

Approved March 22, 1982

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**CHAPTER 512 — H.F.No. 1919**

*An act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; clarifying the responsibility imposed on*

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*certain water project contractors; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivisions 2, as amended, and 4; 40.036; 40.07, Subdivision 9; 105.463; 106.041; 106.631, Subdivision 2; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.*

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

**Section 1. [17.80] STATE AGRICULTURAL LAND PRESERVATION AND CONSERVATION POLICY.**

Subdivision 1. POLICY. It is the policy of the state to preserve agricultural land and conserve its long-term use for the production of food and other agricultural products by:

(a) Protection of agricultural land and certain parcels of open space land from conversion to other uses;

(b) Conservation and enhancement of soil and water resources to ensure their long-term quality and productivity;

(c) Encouragement of planned growth and development of urban and rural areas to ensure the most effective use of agricultural land, resources and capital; and

(d) Fostering of ownership and operation of agricultural land by resident farmers.

Subd. 2. METHODS. The legislature finds that the policy in subdivision 1 will be best met by:

(a) Defining and locating lands well suited for the production of agricultural and forest products, and the use of that information as part of any local planning and zoning decision;

(b) Providing local units of government with coordinating guidelines, tools and incentives to prevent the unplanned and unscheduled conversion of agricultural and open space land to other uses;

(c) Providing relief from escalating property taxes and special assessments and protection of normal farm operations in agricultural areas subject to development pressures;

(d) Development of state policy to increase implementation of soil and water conservation by farmers;

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(e) Assuring that state agencies act to maximize the preservation and conservation of agricultural land and minimize the disruption of agricultural production, in accordance with local social, economic and environmental considerations of the agricultural community;

(f) Assuring that public agencies employ and promote the use of management procedures which maintain or enhance the productivity of lands well suited to the production of food and other agricultural products;

(g) Guiding the orderly development and maintenance of transportation systems in rural Minnesota while preserving agricultural land to the greatest possible extent;

(h) Guiding the orderly construction and development of energy generation and transmission systems and enhancing the development of alternative energy to meet the needs of rural and urban communities and preserve agricultural land to the greatest possible extent by reducing energy costs and minimizing the use of agricultural land for energy production facilities; and

(i) Guiding the orderly development of solid and hazardous waste management sites to meet the needs and safety of rural and urban communities and preserve agricultural land to the greatest possible extent by minimizing the use of agricultural land for waste management sites.

## Sec. 2. [17.81] DEFINITIONS.

Subdivision 1. APPLICABILITY. For the purposes of sections 1 to 5, the terms defined in this section have the meanings given them.

Subd. 2. ACTION WHICH ADVERSELY AFFECTS. "Action which adversely affects" means any of the following actions taken in respect to agricultural land which have or would have the effect of substantially restricting the agricultural use of the land: (1) acquisition for a nonagricultural use except acquisition for any unit of the outdoor recreation system described in section 86A.05, other than a trail described in subdivision 4 of that section; (2) granting of a permit, license, franchise or other official authorization for nonagricultural use; (3) lease of state-owned land for nonagricultural use except for mineral exploration or mining; or (4) granting or loaning of state funds for purposes which are not consistent with agricultural use.

Subd. 3. AGRICULTURAL LAND. "Agricultural land" means land which is in agricultural use, and which has been identified as agricultural land by a local unit of government pursuant to sections 394.21 to 394.37, 462.351 to 462.364, 366.10 to 366.19 or 473H.04, or which is composed of predominantly class I, II, III, or IV soils as identified in the land capability classification system of the United States Department of Agriculture Soil Conservation Service and the county soil survey, if completed.

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Subd. 4. AGRICULTURAL USE. "Agricultural use" means use of land for the production of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and nursery stock which is under sections 18.44 to 18.61, fruit of all kinds, vegetables, forage, grains, bees, and apiary products. Wetlands, pasture and woodlands accompanying land in agricultural use shall be considered to be in agricultural use.

Subd. 5. AGENCY. "Agency" means a department identified in section 15.01, and any other agency of the state whose actions are by virtue of other law governed by the provisions of sections 1 to 5.

Subd. 6. COMMISSIONER. "Commissioner" means the commissioner of agriculture.

### Sec. 3. [17.82] PROHIBITED AGENCY ACTION.

Any agency action which the agency determines will adversely affect ten acres or more of agricultural land shall be referred to the commissioner to be reviewed and acted upon as provided in section 5. No agency shall take any action which adversely affects ten acres or more of agricultural land without first attempting to find alternative methods or locations for the action or otherwise attempting to reduce the adverse affects. If, after evaluating the alternatives, the agency determines that the benefit to the state from preserving the agricultural use of the land is less than the cost of implementing an alternative action, the agency shall inform the commissioner of that determination in writing.

An agency action is not subject to review under this section or section 5 if the action is reviewed as required by chapter 116D and the environmental review rules adopted under that chapter, or if a political subdivision is required by law to review and approve the action.

### Sec. 4. [17.83] AGENCY RULEMAKING.

An agency proposing to adopt a rule which it determines may have a direct and substantial adverse effect on agricultural land shall include notice of the effect in the notice of rule hearing required to be filed by the agency under section 15.0412, subdivision 4, and shall inform the commissioner in writing. In its statement of need and reasonableness required under section 15.0412, subdivision 4c, the agency shall describe the possible adverse effect on agricultural land, state what alternatives the agency considered in order to avoid or reduce the effect, and indicate why the agency elected to proceed with the proposed adoption of the rule. The hearing examiner, in the report required under section 15.052, subdivision 3, shall include recommendations regarding actions available to the agency, including necessary amendments to the proposed rule, in order to avoid adverse effects on agricultural land as a result of implementation or enforcement of the rule.

### Sec. 5. [17.84] DUTIES OF THE COMMISSIONER.

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Within 30 days of the receipt of the notices provided in section 3 or 4, the commissioner shall review the agency's proposed action, shall negotiate with the agency, and shall recommend to the agency in writing the implementation either of the action as proposed or an alternative. In making recommendations, the commissioner shall follow the statement of policy contained in section 1. If the proposed agency action is the adoption of a rule, the recommendation of the commissioner shall be made a part of the record in the rule hearing. If the agency receives no response from the commissioner within 30 days, it shall be deemed a recommendation that the agency take the action as proposed.

Sec. 6. Minnesota Statutes 1980, Section 15.0412, is amended by adding a subdivision to read:

Subd. 7a. AGRICULTURAL LAND. If the agency proposing the adoption of the rule determines that the rule may have a direct and substantial adverse impact on agricultural land in the state, the agency shall comply with the requirements of sections 1 to 5.

Sec. 7. Minnesota Statutes 1980, Section 105.463, is amended to read:

**105.463 CONTRACTOR'S RESPONSIBILITY.**

It is unlawful for any agent, servant, or employee of another to ~~undertake work for which a permit is required pursuant to section 98.48, subdivision 9, this chapter, or section 106.021, construct, reconstruct, remove, make any change in any reservoir, dam or waterway obstruction on any public water, or in any manner to change or diminish the course, current or cross-section of any public waters unless a copy of the permit authorizing such work is posted on or near the premises upon which such work is conducted~~ the agent, servant or employee has (a) obtained a signed statement from the landowner that all permits required for the work have been obtained or that no permit is required, and (b) mailed a copy of the statement to the office of the department for the region in which the proposed work is located. ~~The Violation~~ of this section constitutes a separate and independent offense from any other ~~provided by sections 105.37 to 105.55.~~

The commissioner of natural resources shall develop a suitable form to be distributed to contractors' associations and county auditors for the purposes of this section, which shall include a listing of the activities for which a permit is required, a description of the penalties for violating this chapter, the mailing addresses and telephone numbers of the various regional offices of the department of natural resources, a statement that water inventory maps completed pursuant to section 105.391, subdivision 1, are on file with the auditors of the various counties, and spaces for a description of the work and the names, mailing addresses, and phone numbers of the person authorizing the work and the agent, servant, or employee proposing to undertake it.

Sec. 8. Minnesota Statutes 1980, Section 106.041, is amended to read:

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**106.041 PETITIONERS' BOND.**

Upon the filing of a petition and before any action is taken thereon, one or more of the petitioners shall make and file a bond payable, in case of a county drainage system, to the county, and in case of a judicial drainage system, to the counties named in the petition, in the sum of not less than ~~\$2,000~~ \$10,000, with good and sufficient sureties, to be approved by the officer with whom the same is filed, conditioned to pay all costs and expenses which may be incurred in case the proceedings are dismissed or for any reason no contract is entered into for the construction of the improvement petitioned for.

Sec. 9. Minnesota Statutes 1980, Section 106.631, Subdivision 2, is amended to read:

**Subd. 2. PROCEDURE ON APPEAL.** (a) Any person appealing on the first or second ground named, may include and have considered and determined benefits or damages affecting property other than his own. Notice of such appeal shall be served upon the owner or occupant of such other property or upon the attorney who represents such owner in the proceedings. Such notice of appeal shall also be served upon the auditor or clerk.

(b) To render the appeal effectual, the appellant shall file with the auditor or clerk within 30 days after the filing of such final order a notice of appeal which shall state the particular benefits or damages appealed from and the ground upon which the appeal is taken. The notice of appeal shall be accompanied by an appeal bond to the county where the property is located of not less than ~~\$250~~ \$10,000 with sufficient surety to be approved by the auditor or clerk, conditioned that the appellant will duly prosecute the appeal and pay all costs and disbursements which may be adjudged against him and abide the order of the court. Within 30 days after such filing, the auditor, in case of a county drainage proceeding, shall return and file with the clerk of the district court the original notice and appeal bond.

(c) The issues raised by the appeal shall stand for trial by jury and shall be tried and determined at the next term of the district court held within the county in which the proceedings were commenced, or in such other county in which the appeal shall be heard, beginning after the filing of the appeal; and shall take precedence of all other matters of a civil nature in court. If there be more than one appeal triable in one county, the court may, on its own motion or upon the motion of a party in interest, consolidate two or more appeals and try them together, but the rights of the appellants shall be separately determined. If the appellant fails to prevail, the cost of the trial shall be paid by the appellant. In case of appeal as to damages or benefits to property situated in the county other than the county where the drainage proceedings are pending, and if the appellant so requests, the trial shall be held at the next term of the district court of the county wherein the lands are situated. In such case, the clerk of the district court where the appeal is filed, shall make, certify and file in the office of the

clerk of the district court of the county where the trial is to be had, a transcript of the papers and documents on file in his office in the proceedings so far as they pertain to the matters on account of which the appeal is taken. After the final determination of such appeal, the clerk of the district court where the action is tried, shall certify and return the verdict to the district court of the county where the proceedings were instituted.

(d) The clerk of the district court shall file a certified copy of the final determination of any such appeal with the auditor of the county affected.

(e) An appeal on the third ground may be to the district court of any county wherein lands are affected. Such appeal shall be made within 30 days after the order allowing or disallowing the claim and shall be governed as far as applicable by the provisions of this subdivision.

Sec. 10. Laws 1979, Chapter 315, Section 2, as amended by Laws 1981, Chapter 78, Section 1, is amended to read:

#### Sec. 2. **JOINT LEGISLATIVE COMMITTEE.**

A joint legislative committee on agricultural land preservation and conservation shall be established by July 1, 1979, and shall expire by June 30, 1982 ~~1984~~, unless extended by legislative action. The committee shall be composed of eight members of the house of representatives from the transportation, agriculture, environment and natural resources, local and urban affairs, and tax committees appointed by the speaker and the chairman of the committee on rules and legislative administration; and eight members of the senate from the transportation, agriculture and natural resources, local government, tax, and governmental operations committees appointed by the subcommittee on committees. The committee shall elect a chairman from among its members. The expenses of and per diem payments to committee members shall be paid from the legislative expense fund of their respective body upon approval of the chairman of the joint committee. Other expenses of the committee shall be evenly divided between the house of representatives and the senate.

Sec. 11. Minnesota Statutes 1980, Section 40.03, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 13, is amended to read:

Subd. 2. **EMPLOYEES.** The department of natural resources shall provide administrative functions of this section. The commissioner of natural resources shall make available by separate budget to the state soil and water conservation board the staff services, funds for operation, and office space necessary for the administration and coordination of its functions. The state board shall be responsible to the commissioner for reporting purposes in regard to staff functions and operations which relate to department activities.

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The commissioner of natural resources shall, ~~with the advice subject to approval~~ of the state board, provide an administrative officer and other necessary permanent and temporary technical experts, agents and employees. The state board shall ~~recommend~~ determine the personnel's qualifications and duties ~~to the commissioner of natural resources,~~ and recommend compensation to the commissioner of employee relations. The state board may call upon the attorney general for necessary legal services. It shall have authority to delegate to its chairman or to one or more of its other officers or members or administrative officer any of its own powers and duties it may deem proper. The administrative officer is ~~in the unclassified service~~ responsible to the state board and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the state board. All permanent personnel of the state board are employees of the department of natural resources and are in the classified service of the state, ~~except for the administrative officer or as otherwise required by statute.~~ In order to perform its duties, the state board may request information from the supervising officer of any state agency or state institution of higher education, including the state universities, the community colleges, and the post-secondary vocational technical schools. The supervising officer shall comply with the state board's request to the extent possible considering available appropriations and may assign agency or institution employees to compile existing information and to complete special reports, surveys, or studies concerning the problems specified in section 40.02.

Sec. 12. Minnesota Statutes 1980, Section 40.03, Subdivision 4, is amended to read:

Subd. 4. **POWERS AND DUTIES.** In addition to the powers and duties hereinafter conferred upon the state soil and water conservation board, it shall have the following powers and duties:

(1) Prepare and present to ~~the~~ the commissioner of natural resources a budget to finance the activities of the state board and the districts and to administer any law appropriating funds to districts. The board shall receive and disburse any grants made available to the state by the United States department of agriculture under the preferred program developed under United States Code, title 16, sections 2001 to 2009;

(2) Offer any appropriate assistance to the supervisors of the districts in implementing any of their powers and programs. Any funds made available to a district for expenditures necessary for the operations of the district shall be a grant to the district to be used only for purposes authorized by the state board pursuant to law. The soil and water conservation district may designate the board of county commissioners to act as the agent of the district to receive and expend these funds at the direction and with the approval of the board of supervisors of the district. At least annually the state board shall audit, in a manner it prescribes, the expenditure of funds so granted;

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(3) Keep the supervisors of each district informed of the activities and experience of all other districts and facilitate cooperation and an interchange of advice and experience among the districts;

(4) Coordinate the programs and activities of the districts with appropriate agencies by advice and consultation;

(5) Approve or disapprove the plans or programs of districts relating to the use of state funds administered by the state board;

(6) Secure the cooperation and assistance of the appropriate agencies in the work of the districts and to develop a program to advise and assist appropriate agencies in obtaining state and federal funds for erosion, sedimentation, flooding and agriculturally related pollution control programs;

(7) Develop and implement a comprehensive public information program concerning the districts' activities and programs, the problems and preventive practices of erosion, sedimentation, agriculturally related pollution, flood prevention, and the advantages of formation of districts in areas where their organization is desirable;

(8) Subdivide and consolidate districts without a hearing or a referendum so as to *confine districts within county limits, provided that no district, when feasible and practicable, shall contain less than four full or fractional congressional townships;*

(9) Assist in the implementation of a statewide program for inventorying and classification of the types of soils throughout the state as determined by the Minnesota cooperative soil survey;

(10) Conduct Identify research needs and cooperate with other public agencies in research concerning the nature and extent of erosion, sedimentation, flooding and agriculturally related pollution, the amounts and sources of sediment and pollutants delivered to the waters of the state, and long term soil productivity;

(11) Develop programs to reduce or prevent soil erosion, sedimentation, flooding and agriculturally related pollution, including but not limited to structural and land-use management practices;

(12) Develop a system of priorities within the state to identify the erosion, flooding, sediment and agriculturally related pollution problem areas that are most severely in need of control systems; and

(13) Ensure compliance with statewide programs established by the state board pursuant to this section by advice, consultation, and approval of cost-sharing contracts with the districts.

Sec. 13. Minnesota Statutes 1980, Section 40.036, is amended to read:

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#### 40.036 COST-SHARING CONTRACTS FOR EROSION CONTROL AND WATER MANAGEMENT.

Subdivision 1. **ALLOCATION TO DISTRICTS.** Within the limits of available funds, the state board may allocate funds to districts to be used to share the cost of implementing any system or practices for erosion or sedimentation control and or water quality improvement which are designed to protect and improve the state's soil and water resources. Any district board requesting funds of the state board shall submit a comprehensive plan ~~completed pursuant to section 40.07, subdivision 9,~~ an annual work plan, and an application ~~on~~ for cost-sharing funds in the form prescribed by the state board. The comprehensive and annual work plans shall be completed as provided in section 40.07, subdivision 9. After review of the district's comprehensive plan, the state board shall approve it with any necessary amendments or reject it. If the state board approves the ~~district's~~ district's comprehensive plan, including the most recent plan amendment, the annual work plan and the application of the district it shall also determine the specific amount of funds to allocate to the district for the purpose of cost-sharing contracts. Neither the state board nor the district board shall furnish any financial aid for practices designed only for an increase in land productivity.

The state board shall allocate at least 70 percent of available cost-sharing funds for conservation practices to address high priority erosion, sedimentation or water quality problems based on the comprehensive and annual work plans of the districts and statewide priorities established by the board. At least 50 percent of available cost-sharing funds shall be allocated for conservation practices to control high priority erosion problems identified in district annual work plans. The remaining cost-sharing funds may be allocated by the board for administrative expenses and for grants to districts for conservation practices and technical and administrative assistance.

Subd. 2. **CONTRACTS BY DISTRICTS.** Within the limits of funds available, a district board may contract on a cost share basis to furnish financial aid to a land occupier or to a state agency for the implementation of permanent systems for erosion or sedimentation control and or water quality improvement which are consistent with the district's comprehensive ~~plan developed and annual work plans completed~~ plan developed and annual work plans completed pursuant to section 40.07, subdivision 9. The duration of the contract may be the time required to complete the planned systems. A contract may provide for cooperation or funding with United States agencies. Every contract shall specify that the land occupier is liable for monetary damages, not to exceed the amount of financial assistance he received from the district, if he fails to timely complete or maintain the systems or practices as specified in the contract. A land occupier or any state agency may provide the cost-sharing portion of the contract through in-kind services.

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Subd. 3. **COST-SHARING RULES.** The state board shall promulgate adopt rules specifying the procedures and criteria for allocating funds to districts for cost-sharing contracts. The rules shall also include standards and guidelines which the districts shall include in all cost-sharing contracts. ~~The state board may for the purpose of implementing this section exercise emergency power and adopt emergency rules pursuant to section 15.0412, subdivision 5. No emergency rules may be adopted by the state board pursuant to this subdivision after July 1, 1978.~~

Subd. 4. **PRIORITY RULES.** ~~Before November 15, 1978, the state board shall submit a report to the legislature, as provided in section 3.195, concerning the status of cost-sharing contract programs authorized by this section. By May 1, 1983, the state board shall adopt rules which include:~~

(a) The scope and content of comprehensive plans, plan amendments and annual work plans which local districts must submit under section 15 to qualify for cost-sharing funds;

(b) Standards and methods necessary for the planning and implementation of a priority cost-sharing program, including guidelines for identifying high priority erosion, sedimentation and water quality problems; and

(c) The share of the cost of conservation practices to be paid from state cost-sharing money. The rules shall provide for a higher state share for practices used to control high priority erosion, sedimentation or water quality problems under a district's annual work plan.

Subd. 5. **IDENTIFICATION OF PRIORITY EROSION PROBLEMS.** The rules adopted under subdivision 4 shall include a pilot program by which at least 20 districts will keep a record of those land occupiers with high priority erosion problems who have been identified and contacted by the district. The record shall show whether the land occupiers were willing or unwilling to participate in cost-sharing contracts to control their erosion problems, and the type and estimated cost of the conservation practices needed to control the problems. The amount of high priority cost-sharing grants to the 20 districts for 1984 shall be based on the amounts needed to control high priority erosion problems by willing land occupiers contacted by the district. The pilot program shall expire July 1, 1985.

By July 1, 1985, the board shall adopt permanent rules setting forth requirements by which all districts will document their efforts to identify and contact land occupiers with high priority erosion problems and the manner in which high priority cost-sharing grants will be allocated to districts based on this documentation.

Subd. 6. **TASK FORCE ON STANDARDS FOR PRIORITY COST-SHARING.** The state board shall appoint a task force consisting of representatives of state and federal agencies with program or research responsibilities in soil

and water conservation to develop standards and methods for planning and implementing a state priority cost-sharing program which are coordinated with the findings, standards and methods of those agencies. The board shall use the findings of the task force in proposing rules under subdivision 4.

**Sec. 14. [40.038] TECHNICAL AND ADMINISTRATIVE ASSISTANCE.**

Subdivision 1. GRANTS. The state board may make grants to local districts for technical and administrative assistance necessary to develop comprehensive plan amendments and annual work plans as provided in section 40.07, subdivision 9, including outreach and educational activities carried out by the districts. The amount of the grants shall be based on the extent of high priority erosion, sedimentation and water quality problems in each district and the demonstrated interest of the district in identifying and addressing those problems. The grants may be made after adoption of rules by the state board pursuant to section 13, subdivision 4.

Subd. 2. COOPERATION WITH OTHER PROGRAMS. At the request of local districts, the agricultural extension service of the University of Minnesota, county extension committees and county extension agents in each county shall:

(a) Advise the districts in developing comprehensive plan amendments and annual work plans for the districts;

(b) In cooperation with the districts and the soil conservation service of the United States department of agriculture, provide technical assistance and education to land occupiers concerning soil conservation practices, including conservation tillage practices; and

(c) Participate in the training of district officials and employees in cooperation with the state board.

Sec. 15. Minnesota Statutes 1980, Section 40.07, Subdivision 9, is amended to read:

Subd. 9. A district may develop and revise a comprehensive plan, specifying the practices to implement the state policy specified in section 40.02, including, without limitation, the construction, maintenance, and operation of structural measures, methods of cultivation, the use of vegetation, cropping programs, mechanical practices, and changes in use of land and technical standards and specifications related thereto. The plan shall include a classification of the soil types within the district as determined by the Minnesota cooperative soil survey and the areas within the district where erosion, sedimentation and related water quality problems appear most in need of control methods. The plan shall be consistent with the statewide framework water resources plan, the statewide water quality management plan, and the state board's ~~cost-sharing~~

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soil and water program plan, and shall be prepared in the manner required by the rules of the state board.

By August 1 of each even-numbered year, beginning in 1984, each district which applies for cost-sharing funds under section 40.036 shall submit to the state board an amendment of its comprehensive plan which identifies high priority erosion, sedimentation and water quality problems within the district in the manner required by the rules of the state board.

By August 1 of each year, beginning in 1984, each district which applies for cost-sharing funds under section 40.036 shall submit to the state board an annual work plan for responding to the high priority erosion, sedimentation and water quality problems in the district. The work plan shall be prepared in the manner required by the rules of the state board. In preparing the annual work plan, the district shall actively identify and seek out land occupiers with high priority erosion problems who have not participated in cost-sharing contracts and encourage their participation in programs to control their erosion problems.

**Sec. 16. [40.075] CONSERVATION TILLAGE DEMONSTRATION PROGRAM.**

The state board may make grants to one or more local districts to demonstrate the effectiveness and encourage the use of conservation tillage practices. The program shall be implemented in cooperation with the soil conservation service of the United States department of agriculture, the agricultural extension service and agricultural experiment station of the University of Minnesota, and county agricultural extension committees and agents.

Districts may pay land occupiers participating in the demonstration program up to \$45 per acre for not more than 50 acres to which conservation tillage practices are applied under the program. Payment to any land occupier is limited to a single growing cycle. A land occupier is not eligible to participate in the project unless the local district has approved a conservation plan for the land where the practices will be applied and the occupier agrees to maintain the practices for at least three years.

The board may establish guidelines for the implementation of this section. The guidelines need not be adopted as rules under chapter 15.

The board shall concentrate its efforts in areas where conservation tillage practices offer significant conservation benefits. The board shall report the results of the demonstration program to the legislature together with any legislative recommendations by November 1, 1984.

**Sec. 17. REPEALER.**

Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1, are repealed.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

**Sec. 18. REPEALER.**

Section 16 is repealed, effective July 1, 1985.

**Sec. 19. EFFECTIVE DATE.**

Section 13, subdivisions 1 and 2, are effective July 1, 1984. The remainder of this act is effective the day following final enactment.

Approved March 22, 1982

**CHAPTER 513 — S.F.No. 1508**

*An act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.*

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

**Section 1. - [196.19] SHORT TITLE.**

Sections 1 to 8 may be cited as the "Agent Orange Information and Assistance Act".

**Sec. 2. [196.20] PURPOSE.**

A large number of Vietnam era veterans were exposed to dioxin or other toxic substances found in certain defoliants, herbicides, pesticides, and similar chemical substances while serving in the armed forces of the United States. It is a legitimate concern and responsibility of the state to provide information, referral, and counseling services to those veterans who may have suffered adverse health conditions as a result of possible exposure to these chemical agents.

**Sec. 3. [196.21] DEFINITIONS.**

Subdivision 1. TERMS DEFINED. For the purposes of sections 1 to 8 the following terms have the meanings given them.

Subd. 2. VETERAN. "Veteran" means a person who is a resident of this state and who served in the armed forces of the United States of America during the Vietnam era.

Subd. 3. CHEMICAL AGENTS. "Chemical agents" means dioxin or other toxic substances found in certain defoliants, herbicides, pesticides, and similar chemical substances.

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