

\$50,000, including interest. The special levy imposed under this paragraph is not subject to the levy limits imposed by Minnesota Statutes, section 275.11 and sections 275.50 to 275.56 or by any other law.

Subd. 4. MUNICIPAL BOARD ORDER. Upon the filing of the petition for consolidation, the Minnesota municipal board may waive appointment of a consolidation commission and may hold a hearing in accordance with Minnesota Statutes, section 414.09, if the board deems it necessary, or it may waive the hearing. The board may exercise the powers authorized under section 414.01, subdivisions 11 and 12. The board shall order the consolidation upon the factors considered under Minnesota Statutes, section 414.041, subdivision 5, clauses (a) to (i), if it finds that consolidation will be for the best interests of the municipalities, and shall include an order setting the effective dates for the consolidation and the proposed city charter and requiring a special levy to be determined as provided in subdivision 3 of this section. The board's order for consolidation shall be final. If the proposed city charter does not provide for the election of new municipal officers, the board shall do so pursuant to section 414.09, subdivision 3.

Sec. 2. EFFECTIVE DATE.

Pursuant to Minnesota Statutes, section 645.023, subdivision 1, clause (a), local approval of this act is not required. This act is effective the day following final enactment.

Approved May 6, 1985

CHAPTER 59 — H.F.No. 94

An act relating to agriculture; changing certain soil and water conservation priorities; amending Minnesota Statutes 1984, section 40.036, subdivisions 1 and 3; repealing Minnesota Statutes 1984, sections 40.036, subdivisions 4, 5, and 6; and 40.038, subdivision 1.

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

Section 1. Minnesota Statutes 1984, section 40.036, subdivision 1, is amended to read:

Subdivision 1. **ALLOCATION TO DISTRICTS.** (a) 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 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, an annual work plan, and an application for cost-sharing funds in the form prescribed by the state board.

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

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 comprehensive plan, including the most recent plan amendment, the annual work plan and the application of the district it shall 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.

(b) The state board shall allocate at least 70 percent of available cost-sharing funds for ~~conservation practices to address areas with high priority erosion, sedimentation, or water quality problems.~~ The areas must be selected 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 allocated funds must be used for conservation practices to address high priority problems as identified in the comprehensive and annual work plans of the districts.

(c) 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~~ as follows:

(1) for technical and administrative assistance not to exceed 20 percent of the available cost-sharing funds; and

(2) for conservation practices to address lower priority erosion, sedimentation, or water quality problems.

Sec. 2. Minnesota Statutes 1984, section 40.036, subdivision 3, is amended to read:

Subd. 3. **COST-SHARING RULES.** The state board shall adopt rules ~~specifying~~ prescribing:

(1) the procedures and criteria for allocating funds to districts for cost-sharing contracts. The rules shall also include;

(2) the standards and guidelines which the districts shall include in all for all cost-sharing contracts;

(3) the scope and content of comprehensive plans, plan amendments and annual work plans which local districts must submit under section 40.07, subdivision 9, to qualify for cost-sharing funds;

(4) 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;

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

(5) the share of the cost of conservation practices to be paid from state cost-sharing money; and

(6) requirements for all districts to document their efforts to identify and contact land occupiers with high priority erosion problems.

Sec. 3. **REPEALER.**

Minnesota Statutes 1984, sections 40.036, subdivisions 4, 5, and 6; and 40.038, subdivision 1, are repealed.

Approved May 6, 1985

CHAPTER 60 — H.F.No. 204

An act relating to higher education; creating a student advisory council to the higher education coordinating board; requiring, as nearly as possible, one-sixth of the terms of voting members of the higher education coordinating board to expire each year; amending Minnesota Statutes 1984, section 136A.02, subdivisions 1 and 1a, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1984, section 136A.02, subdivision 1, is amended to read:

Subdivision 1. The higher education coordinating board shall consist of eight citizen members, one from each congressional district, to be appointed by the governor with the advice and consent of the senate, and three citizen members also to be appointed by the governor with the advice and consent of the senate to represent the state at large. The chair of the student advisory council shall serve as a nonvoting member of the board. All appointees to the board shall be selected for their knowledge of and interest in post secondary education and at least one shall be selected specifically for knowledge of and interest in vocational education. ~~No~~ A voting member of the board ~~shall~~ must not be an employee of or receive compensation from a public or private post-secondary institution while serving on the board.

Sec. 2. Minnesota Statutes 1984, section 136A.02, subdivision 1a, is amended to read:

Subd. 1a. The term of each voting board member shall be six years. As nearly as possible, one-sixth of the terms of the voting board members shall expire each year. The terms of membership, compensation, removal of voting members, and filling of vacancies among voting members on the board shall be as provided in section 15.0575, subdivisions 3, 4, and 5.

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