

HOUSE RESEARCH

Bill Summary

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Allows the Cedar Lake Area Water and Sanitary Sewer District extra time to file a certificate of approval of a 2014 special law for the district that was enacted in the 2014 omnibus tax bill. If the certificate is filed by June 30, 2015, the special law is effective retroactively to May 21, 2014.

Under the state constitution, “[t]he legislature may enact special laws relating to local government units, but a special law, unless otherwise provided by general law, shall become effective only after its approval by the affected unit expressed through the voters or the governing body and by such majority as the legislature may direct.” Under general law, Minnesota Statutes, section 645.021, local approval of a special law is achieved when, after the law is enacted, the local government adopts a resolution stating it approves the law and files that resolution along with a certificate (provided by the Secretary of State’s office) with the Secretary of State. If a local government unit fails to file a certificate of approval before the first day of the next regular session of the legislature (i.e., before the first Tuesday after the first Monday in January of odd-numbered years), the law is deemed to be disapproved by the local government.

Last session, the Cedar Lake Area Water and Sanitary Sewer District, originally established under a 1999 special law, asked for authority to increase the maximum number of connections in the district’s comprehensive plan from 325 connections to 364 connections. (The 1999 special law included a maximum number of sewer connections.) The connection increase is needed because Helena Township in Scott County wants to dissolve a subordinate service district (SSD) and use the surplus from the sale of property to pay to connect affected property owners to the Cedar Lake district.