

1.1 A bill for an act

1.2 relating to statutory cities; providing for discharge of a charter commission;  
1.3 authorizing charter amendments by ordinance; providing for water and sewer  
1.4 charges; amending Minnesota Statutes 2006, sections 410.05, subdivision 5;  
1.5 410.12, subdivision 7; 444.075, subdivision 3.

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

1.7 Section 1. Minnesota Statutes 2006, section 410.05, subdivision 5, is amended to read:

1.8 Subd. 5. **Discharge.** (a) A charter commission in a statutory city may be discharged  
1.9 as follows:

1.10 (1) If the charter commission of a statutory city determines that a charter is not  
1.11 necessary or desirable, the commission may be discharged by a vote of three-fourths  
1.12 of its members.

1.13 (2) If a petition signed by registered voters equal in number to at least five percent  
1.14 of the registered voters in the city requesting a referendum to discharge the charter  
1.15 commission is filed with the city clerk, an election must be held on the issue at a general  
1.16 election or a special election pursuant to section 205.10. If a majority of the votes cast  
1.17 support the referendum, the charter commission shall be discharged.

1.18 (b) Another commission may not be formed sooner than one year from the date of  
1.19 discharge.

1.20 Sec. 2. Minnesota Statutes 2006, section 410.12, subdivision 7, is amended to read:

1.21 Subd. 7. **Amendment by ordinance.** Upon recommendation of the charter  
1.22 commission the city council may enact a charter amendment by ordinance. Within one  
1.23 month of receiving a recommendation to amend the charter by ordinance, the city must  
1.24 publish notice of a public hearing on the proposal and the notice must contain the text

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2.1 of the proposed amendment. The city council must hold the public hearing on the  
2.2 proposed charter amendment at least two weeks but not more than one month after the  
2.3 notice is published. Within one month of the public hearing, the city council must vote  
2.4 on the proposed charter amendment ordinance. The ordinance is enacted if it receives an  
2.5 affirmative vote of all members of the city council and is approved by the mayor and  
2.6 published as in the case of other ordinances. An ordinance amending a city charter shall  
2.7 not become effective until 90 days after passage and publication or at such later date  
2.8 as is fixed in the ordinance. Within 60 days after passage and publication of such an  
2.9 ordinance, a petition requesting a referendum on the ordinance may be filed with the  
2.10 city clerk. ~~Such~~ The petition ~~shall~~ must be signed by ~~qualified~~ registered voters equal in  
2.11 number to ~~two percent of the total number of votes cast in the city at the last state general~~  
2.12 ~~election~~ at least five percent of the registered voters in the city or 2,000, whichever is less.  
2.13 ~~If the city has a system of permanent registration of voters, only registered voters are~~  
2.14 ~~eligible to sign the petition.~~ If the requisite petition is filed within the prescribed period,  
2.15 the ordinance shall not become effective until it is approved by the voters as in the case  
2.16 of charter amendments submitted by the charter commission, the council, or by petition  
2.17 of the voters, except that the council may submit the ordinance at any general or special  
2.18 election held at least 60 days after submission of the petition, or it may reconsider its  
2.19 action in adopting the ordinance. As far as practicable the requirements of subdivisions 1  
2.20 to 3 apply to petitions submitted under this section, to an ordinance amending a charter,  
2.21 and to the filing of such ordinance when approved by the voters.

2.22 Sec. 3. Minnesota Statutes 2006, section 444.075, subdivision 3, is amended to read:

2.23 Subd. 3. **Charges; net revenues.** (a) To pay for the construction, reconstruction,  
2.24 repair, enlargement, improvement, or other obtainment, the maintenance, operation and  
2.25 use of the facilities, and of obtaining and complying with permits required by law, the  
2.26 governing body of a municipality or county may impose just and equitable charges for  
2.27 the use and for the availability of the facilities and for connections with them and make  
2.28 contracts for the charges as provided in this section. The charges may be imposed with  
2.29 respect to facilities made available by agreement with other municipalities, counties  
2.30 or private corporations or individuals, as well as those owned and operated by the  
2.31 municipality or county itself.

2.32 (b) Notwithstanding local charter restrictions, charges made for service rendered  
2.33 shall be as nearly as possible proportionate to the cost of furnishing the service.