

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 2380

(SENATE AUTHORS: WESTROM)

DATE	D-PG	OFFICIAL STATUS
03/08/2016	4911	Introduction and first reading Referred to Environment and Energy (Non-revisor companion) HF2365
04/11/2016	5773a	Comm report: To pass as amended and re-refer to Jobs, Agriculture and Rural Development

A bill for an act
relating to drainage; modifying drainage system repair procedures; requiring a
report; amending Minnesota Statutes 2014, section 103E.715, subdivision 4.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 103E.715, subdivision 4, is amended to
read:

Subd. 4. **Hearing on repair report.** (a) The drainage authority shall make findings
and order the repair to be made if:

(1) the drainage authority determines from the repair report and the evidence
presented that the repairs recommended are necessary for the best interests of the affected
property owners; or

(2) the repair petition is signed by the owners of at least 26 percent of the property
area affected by and assessed for the original construction of the drainage system, and
the drainage authority determines that the drainage system is in need of repair so that it
~~no longer serves~~ can serve its original purpose and the cost of the repair will not exceed
the total benefits ~~determined in the original drainage system proceeding as determined by~~
updating land values based on the county assessor's most recent estimated market value.

(b) The order must direct the auditor and the chair of the board or, for a joint county
drainage system, the auditors of the affected counties to proceed and prepare and award a
contract for the repair of the drainage system. The contract must be for the repair described
in the repair report and as determined necessary by the drainage authority, and be prepared
in the manner provided in this chapter for the original drainage system construction.

EFFECTIVE DATE. This section is effective July 1, 2017.

2.1 Sec. 2. **REPORT.**

2.2 By February 1, 2017, the drainage work group, created under Minnesota Statutes,
2.3 section 103B.101, subdivision 13, shall report to the legislature on changes to Minnesota
2.4 Statutes, chapter 103E, to more efficiently accomplish the updating of benefits and any
2.5 related measures to accomplish prudent management of public drainage systems.