

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 412

(SENATE AUTHORS: WESTROM)

DATE
01/26/2017

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OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance

- 1.1 A bill for an act
- 1.2 relating to drainage; modifying drainage system repair procedures; amending
- 1.3 Minnesota Statutes 2016, section 103E.715, subdivision 4.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2016, section 103E.715, subdivision 4, is amended to read:
- 1.6 Subd. 4. **Hearing on repair report.** (a) The drainage authority shall make findings and
- 1.7 order the repair to be made if:
- 1.8 (1) the drainage authority determines from the repair report and the evidence presented
- 1.9 that the repairs recommended are necessary for the best interests of the affected property
- 1.10 owners; or
- 1.11 (2) the repair petition is signed by the owners of at least 26 percent of the property area
- 1.12 affected by and assessed for the original construction of the drainage system, and the drainage
- 1.13 authority determines that the drainage system is in need of repair so that it ~~no longer serves~~
- 1.14 can serve its original purpose and the cost of the repair will not exceed the total benefits
- 1.15 ~~determined in the original drainage system proceeding~~ as determined by updating land
- 1.16 values based on the county assessor's most recent estimated market value.
- 1.17 (b) The order must direct the auditor and the chair of the board or, for a joint county
- 1.18 drainage system, the auditors of the affected counties to proceed and prepare and award a
- 1.19 contract for the repair of the drainage system. The contract must be for the repair described
- 1.20 in the repair report and as determined necessary by the drainage authority, and be prepared
- 1.21 in the manner provided in this chapter for the original drainage system construction.