

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 3181

(SENATE AUTHORS: WESTROM)

DATE	D-PG	OFFICIAL STATUS
03/12/2018	6416	Introduction and first reading
		Referred to Agriculture, Rural Development, and Housing Policy
03/21/2018		Comm report: To pass as amended and re-refer to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act

1.2 relating to drainage; modifying procedures for repairing drainage systems; 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 or the total benefits updated based

1.16 on the county assessor's most recent estimated market values.

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.