

## CHAPTER 240—S. F. No. 709

*An act relating to drainage systems within watershed district; amending Minnesota Statutes 1957, Section 112.65.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 112.65, is amended to read:

**112.65 Drainage systems within district.** Subdivision 1. *The managers of a district shall take over when directed by the district court or county board any judicial or county drainage system within the district, together with the right to repair, maintain and improve the same. Such transfer may be initiated by the district court or county board, or such transfer may be initiated by a petition from any person having an interest in the drainage system or by the managers. No such transfer shall be made until the district court or county board has held a hearing thereon. Due notice of the proposed transfer together with the time, and place of hearing shall be given by two weeks published notice in a legal newspaper of general circulation in the area involved. All interested persons may appear and be heard. In all proceedings for the repair, maintenance, or improvement the managers shall conform to the provisions of Minnesota Statutes 1957, Chapter 106.*

Subd. 2. *Construction of all new drainage systems or improvements of existing drainage systems within the district shall be initiated by filing a petition with the managers of the district.*

Approved April 15, 1959.

## CHAPTER 241—S. F. No. 711

*An act relating to hearing before watershed district managers; amending Minnesota Statutes 1957, Section 112.54.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 112.54, is amended to read:

**112.54 Hearing before managers; appeal.** At the time and place specified in the notice, the managers shall hear all parties interested for and against the granting of the petition and confirming the reports, and may order and direct the modification of the plans and specifications within the scope

of the general improvement plan for the district, and the assessment of benefits and damages and amend or change the list of property reported as assessable for the construction and maintenance thereof. *If the amended reports include property not included in the original reports, the managers shall adjourn and cause to be published and mailed, as in the original notice, the proper notice with reference to all lands and properties not included in the previous notice.* If upon full hearing the managers find that the improvement will be conducive to public health and promote the general welfare, and is in compliance with the provisions and purposes of this chapter, and that the benefits resulting therefrom will be greater than the cost of the construction and damages, they shall make findings accordingly and order and direct the construction of the improvement and confirm the report of the engineer and the findings and report of the appraisers and may by this order authorize the construction of the proposed improvement as a whole or for different parts thereof separately. All persons, parties, or corporations affected by the order may appeal therefrom as in this chapter provided.

Approved April 15, 1959.

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#### CHAPTER 242—S. F. No. 712

*An act relating to surveys and plans of watershed districts; amending Minnesota Statutes 1957, Section 112.49, Subdivisions 2, 3 and 5.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 112.49, Subdivision 2, is amended to read:

Subd. 2. **Watershed district, surveys and plans.** *The engineer may adopt and approve and include as a part of his report, any project of the United States which is within the district, and may accept any data, plats, plans, details, or information pertaining to such United States project furnished by him by the United States, and the engineer shall omit from his survey those items called for in subdivision 1 if the data furnished by the United States is sufficient for the engineer to make his report without additional survey.*

Sec. 2. Minnesota Statutes 1957, Section 112.49, Subdivision 3, is amended to read:

Subd. 3. If the engineer's report is unfavorable the