

prevention of siltation, control of erosion, or maintenance of lake levels;

(2) All lands contributing water that are furnished a drainage outlet by the construction or improvement of any artificial or natural drain or watercourse;

(3) All lands that are not receiving but need drainage and that are furnishing waters that are handled or controlled by the proposed improvement.

(4) Benefits to the state by reason of the improvement of lakes, streams, or other bodies of water as a place for propagation, protection and preservation of fish and other forms of wildlife, which benefits shall be assessable against the state of Minnesota to the extent and in the manner provided for assessments against the state in Minnesota Statutes, Section 84A.55, Subdivision 9, and within the available appropriation.

(5) Benefits to municipal corporations which occur to the lands in the municipality generally and which may be in addition to special benefits to specific lands within the municipality.

(6) *Benefits that will result to all lands used for railway or other utility purposes.*

Approved May 25, 1965.

CHAPTER 775—H. F. No. 1482

An act relating to watershed districts; amending Minnesota Statutes 1961, Section 112.64.

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

Section 1. Minnesota Statutes 1961, Section 112.64, is amended to read:

112.64 Watershed districts; assessments; levy for repair of improvement. ~~The managers of any district, upon the certification of the engineer that an improvement situate in the district is in a state of disrepair, may levy upon the benefited land and property, as originally assessed for such improvement. The managers may order or direct the repair or provide funds for the maintenance or repair of such improvement upon filing a copy of the order for levy by the managers with the auditor of each county affected by such improve-~~

Changes or additions indicated by italics, deletions by strikeout.

ment against property and corporations within the limits of the county originally benefited thereby. The auditor shall extend the levy against the property within the limits of the county as provided in other proceedings for the levy, assessment, and collections of taxes ordered, levied, and collected by the district court or the county board in drainage proceedings. *Subdivision 1. The board of managers shall be responsible for maintaining the works of the district in such condition that they will accomplish the purposes for which they were constructed. The cost of normal or routine maintenance of the works of the district, and the cost of removing obstructions and accumulations of foreign substances from a drainage system, will be paid from the maintenance fund upon the order of the board of managers.*

Subd. 2. For the purpose of creating, to the credit of a work of improvement of the district, a maintenance fund to be used for normal and routine maintenance of that work of improvement, the board of managers is authorized to apportion and assess the amount of such fund against all the parcels of land, corporations, and municipal corporations theretofore assessed for benefits in proceedings for the construction of the work of improvement. Such assessment shall be made pro rata according to benefits determined. No assessment for the benefit of the maintenance fund shall be made at any such time that the fund exceeds 20 percent of the original cost of construction of the work of improvement. Upon receiving the assessment order from the board of managers, the auditors of the counties affected thereby shall file for record in the office of the register of deeds for the county a tabular lien statement covering the assessment. The assessment shall be collected as provided in the order in the same manner as provided in Minnesota Statutes, Section 106.471. Before ordering the levy of an assessment for the benefit of the maintenance fund, the board of managers, in its discretion, may give such notice of hearing thereon as it may deem advisable.

Subd. 3. If the engineer certifies to the board of managers, in his annual report or otherwise, that a work of improvement of the district is in such a state of disrepair that it cannot be restored by normal and routine maintenance to the same condition as when originally constructed or subsequently improved, or that a ditch or channel must be widened or deepened, or that any work of improvement of the district must be altered or improved, in order to attain the level of operating efficiency contemplated at the time of the original construction, the board of managers, before ordering any repairs other than normal and routine maintenance, shall order the engineer to prepare and submit to the board of managers technical and cost specifications on the work necessary to restore, or im-

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prove, the work of improvement to the desired level of operating efficiency. Upon receiving the engineer's report, the board of managers shall set a date for hearing thereon and give notice thereof in the same manner as in the original proceeding on the construction of the work of improvement, as provided in Section 112.52 and Section 112.53. If upon full hearing the board of managers finds that the repair or improvement is in compliance with the provisions, and is necessary to accomplish the purposes of this chapter, and that the cost thereof will not exceed the benefits therefrom, they may order the repair or improvement and assess the benefited properties to defray the cost thereof. The cost will be apportioned and assessed pro rata upon all lands and property as were assessed for the construction of the work of improvement. No single levy for repair or improvement shall exceed the amount of benefits originally determined. The board of managers shall file a copy of the order for levy with the auditor of each county which contains affected properties. The auditor shall extend the levy against affected properties as in proceedings for the levy, assessment and collection of taxes levied in drainage proceedings conducted under Minnesota Statutes, Chapter 106.

Subd. 4. If the managers find that the estimated cost of such repair, including all fees and costs incurred for proceedings relating thereto, is less than ~~\$2,000~~ \$5,000, it may have such work done by day labor without advertising for bids or entering into a contract therefor.

Approved May 25, 1965.

CHAPTER 776—H. F. No. 1597

An act relating to municipal courts; fixing the salary of judges of certain municipal courts.

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

Section 1. **Municipal courts; judges; salaries.** The annual salary of any judge of a municipal court situated or hereafter established in a city or village named in this section shall be as follows:

Austin	\$7,000
Burnsville	2,400
Blaine and Spring Lake Park, joint court	4,500

Changes or additions indicated by italics, deletions by ~~strikeout~~.