

CHAPTER 785—H.F.No.766

[Coded]

An act relating to public drainage systems; amending Minnesota Statutes 1969, Chapter 106, by adding a section.

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

Section 1. Minnesota Statutes 1969, Chapter 106, is amended by adding a section to read:

[106.015] JOINT COUNTY DITCHES; ESTABLISHMENT; DRAINAGE SYSTEM IN TWO OR MORE COUNTIES. Subdivision 1. On or after July 1, 1971, any petition for the establishment of a public drainage system within two or more counties, instead of being filed with the clerk of district court, as a judicial ditch or judicial drainage proceeding, shall be filed with the county auditor of the county containing the largest area of land over which the proposed ditch passes or upon which the improvement is located. The proposed drainage system thereafter shall be designated as a joint county ditch or drainage system, with a designated number as assigned by the auditor.

Subd. 2. The county board of the county in which the petition is filed shall notify the county board of each county having lands involved in the proposed ditch of the filing of the petition and bond and request that county boards of the counties have a joint meeting to consider the petition. The county boards at such joint meeting shall select five members from the respective boards with at least one member from each county affected to act as the administrative authority in the joint county ditch proceeding. The authority shall be known as the joint county ditch authority with the ditch proceeding number as assigned by the county auditor. Any vacancies in the membership of the authority shall be filled by joint action of the county boards.

Subd. 3. The ditch authority shall thereafter proceed in the same manner with the ditch proceeding and have all the powers and jurisdiction as to the joint county ditch or drainage system thereafter as the district court has under Minnesota Statutes, Chapter 106, in a judicial ditch or judicial drainage system. The county auditor in the county in which the petition is filed shall be the filing officer and shall have the same powers to carry out the duties as the clerk of the district court has in a judicial ditch or judicial drainage system under chapter 106.

Subd. 4. The county boards of the counties having a joint county ditch or drainage system shall have the same duties and powers therein as they have as to a judicial ditch or judicial drainage system under chapter 106.

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

Subd. 5. Any judicial ditch or judicial drainage system in existence on June 30, 1971, may be changed to a joint county ditch or drainage system. Such change may be initiated by order of the district court having jurisdiction of the ditch or the county boards of the counties in which the ditch is located by a petition to the said district court. No such change shall be made until the district court has held a hearing thereon. Due notice of the proposed change 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. Following the hearing the district court may make its order directing that the judicial ditch or judicial drainage system be changed to a joint county or drainage system if the court finds that the change would be in the public welfare or public interest. If the change is ordered by the court the files and records of the judicial ditch or judicial drainage system shall be transferred from the clerk of the district court to the county auditor of the county containing the largest area of land over which the ditch passes. Thereafter, the county boards of the respective counties shall proceed to appoint members of the respective boards as the administrative authority as provided in subdivision 2. The ditch authority shall have the same powers as provided in subdivision 3 and the county boards of the respective counties shall have the same duties and powers as provided in subdivision 4.

Subd. 6. This section in no manner affects the transfer of a public drainage system to the board of managers of a watershed district as authorized by Minnesota Statutes, Section 112.65.

Approved June 4, 1971.

CHAPTER 786—H.F.No.933

An act relating to game and fish; predator control program; amending Minnesota Statutes 1969, Section 97.487, Subdivisions 3 and 4.

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

Section 1. Minnesota Statutes 1969, Section 97.487, Subdivision 3, is amended to read:

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