

**Sec. 2. SCHEDULE.**

Persons elected at the November 1990 general election to the positions of auditor and treasurer shall serve in those capacities and perform the duties, functions, and responsibilities required by statute, until the completion of the term of office to which each was elected, or until a vacancy occurs in the office, whichever occurs earlier.

**Sec. 3. REFERENDUM.**

The county board, after adopting a resolution permitted by section 1, shall publish the resolution once each week for two consecutive weeks in the official publication of the county. The resolution may be implemented without the submission of the question to the voters of the county, unless within 21 days after the second publication of the resolution a petition requesting a referendum, signed by at least 15 percent of the voters of the county voting in the last general election, is filed with the county auditor. If a petition is filed, the resolution may not be implemented until approved by a majority of the voters voting on the question at a regular or special election.

**Sec. 4. EFFECTIVE DATE.**

This act takes effect the day after the filing of a certificate of local approval by the Martin county board in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 2:04 p.m.

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**CHAPTER 82—S.F.No. 1074**

*An act relating to the city of Mankato; authorizing the city to annex uncontiguous territory to the city.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

**Section 1. AIRPORT ANNEXATION.**

Notwithstanding Minnesota Statutes, section 414.033, subdivision 1, the city of Mankato may annex by ordinance uncontiguous property owned by the city which constitutes the Mankato municipal airport. The annexation must otherwise comply with Minnesota Statutes, section 414.033. Property abutting the airport shall not be deemed contiguous to the city of Mankato for the purposes of further annexation proceedings under Minnesota Statutes, chapter 414, without the consent of the city, town, and all the affected property owners.

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 2. LOCAL APPROVAL.**

Section 1 is effective the day following compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Mankato.

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 2:09 p.m.

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**CHAPTER 83—S.F.No. 593**

*An act relating to railroads; authorizing reimbursement by landowners for certain costs; requiring access over railroad right-of-way to adjoining properties; amending Minnesota Statutes 1990, section 219.35.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1990, section 219.35, is amended to read:

**219.35 CROSSINGS AND DRAINS.**

Persons owning lands abutting upon a railroad may construct, at their own expense, crossings under, over, or across the railroad and drains under and across the railroad at places and in ways that do not obstruct or impair the use of the railroad. ~~These crossings and drains must be maintained and kept in repair by the railroad company.~~ Before constructing them, the owner of the land shall serve on the nearest station agent of the company a notice, stating in detail the work which the landowner desires to perform, and the company may construct that work; but the crossings and drains may not be opened for the use of the landowner until the landowner pays the reasonable cost of construction. These crossings and drains must be maintained and kept in repair by the railroad company; however, the railroad may require reimbursement from the abutting landowners of its reasonable and accountable maintenance and repair costs when maintenance and repair are initiated by the landowner and agreed to in advance by the railroad company. The railroad company shall ensure, allow, and not prohibit reasonable egress and ingress under, over, and across a crossing except as may be required for maintenance of the crossing or for normal operation of the railroad.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 11:57 a.m.

New language is indicated by underline, deletions by ~~strikeout~~.