

CHAPTER 186—H.F.No. 1480

An act relating to drainage; allowing an outlet fee to be charged for use of an established drainage system in Red Lake County as an outlet for drainage originating in Pennington County.

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

Section 1. OUTLET FEE FOR USE OF DRAINAGE SYSTEM IN RED LAKE COUNTY AS OUTLET FOR DRAINAGE FROM PENNINGTON COUNTY.

Subdivision 1. **General.** Red Lake County may charge an outlet fee for use of county ditch number 13 as an outlet for drainage originating in Pennington County, as provided in this section. The outlet fee must be established by a joint board established under subdivision 2.

Subd. 2. **Joint board.** The Boards of Commissioners of Red Lake and Pennington Counties shall appoint from their members a joint board consisting of an equal number of members from each board.

Subd. 3. **Hearing.** The joint board shall set a time and location for a hearing and shall give notice of the hearing by publication, as defined in Minnesota Statutes, section 103E.005, subdivision 24, and by mail to the Red Lake and Pennington County Boards and the property owners and political subdivisions likely to be affected by the outlet fee. At the hearing, the joint board shall provide an opportunity for all interested persons to be heard.

Subd. 4. **Order.** After the hearing, the joint board shall, by order, set the amount to be paid as an outlet fee. The order must describe the property benefited by the outlet drainage system and state the amount of benefits to the property for the outlet drainage system. The property benefited is subject to assessments levied after that time in the outlet drainage system, on the basis of the benefits as if the benefits had been determined in the order establishing the outlet drainage system.

Subd. 5. **Payment.** The outlet fee must be paid by assessment against the benefited property in Pennington County, under Minnesota Statutes, section 103E.601, and credited to the established drainage system account for county ditch number 13.

Subd. 6. **Appeal.** A person whose property is subject to assessments under subdivision 5 may appeal the order under Minnesota Statutes, section 103E.091.

Sec. 2. EFFECTIVE DATE.

Under Minnesota Statutes, section 645.023, subdivision 1, paragraph (a), this section takes effect, without local approval, the day following final enactment.

Presented to the governor May 2, 2006

Signed by the governor May 5, 2006, 10:48 a.m.