

Session Laws 1959, Chapter 71, Article 5, Section 14, are hereby repealed.

Approved April 20, 1961.

CHAPTER 563—H. F. No. 137

[Coded]

An act relating to session laws enacted in 1959; providing for the correction of erroneous statutory references; amending Laws 1959, Chapters 244, Section 1, Subdivisions 1 and 4; 272, Section 1, Subdivision 2; 500, Article III, Section 8, Subdivision 3; 691, Section 2, Subdivision 1; and Extra Session Laws 1959, Chapter 70, Article II, Section 7.

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

Section 1. Laws 1959, Chapter 244, Section 1, Subdivision 1, is amended to read:

Section 1. **[112.411] Procedure for termination.**
Subdivision 1. Proceedings for the termination of a watershed district shall be initiated only by the filing of a petition with the secretary of the board, which petition shall be signed by not less than 25 percent of the resident freeholders of the district. Such petition shall state that the existence of the district is no longer in the public welfare and public interest and that it is not needed to accomplish the purposes of the *Minnesota watershed act*.

The petitioners shall cause to be served upon the county auditor or auditors of the counties affected a copy of said petition and proof of service thereof shall be attached to the original petition, to be filed with the secretary of the board.

Sec. 2. Laws 1959, Chapter 244, Section 1, Subdivision 4, is amended to read:

[112.411] Subd. 4. Procedure for termination.
When it appears to the board that a sufficient petition has been filed, the board shall within 35 days thereafter, by its order fix a time and place, within the district, for a hearing thereon. The provisions of this ~~act~~ *section* relating to notice and conduct of a hearing upon a nominating petition shall govern.

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

If the board should determine that the existence of the district is no longer in the public welfare and public interest and that it is not needed to accomplish the purpose of the *Minnesota watershed* act the board shall by its findings and order terminate the district. Upon filing a certified copy of said findings and order with the secretary of state such district shall cease to be a political subdivision of the state.

Sec. 3. Laws 1959, Chapter 272, Section 1, Subdivision 2, is amended to read:

[112.501] Subd. 2. **Benefited property, determination.** In all proceedings under ~~this~~ *the Minnesota watershed* act assessments for benefits against lands or corporations shall be made upon benefits to such lands or corporations by reason of the project or improvement affecting the same. Benefited properties shall include:

(1) All lands or corporations receiving direct benefits such as drainage, commercial navigation, disposal of sewage or waste material, protection from overflow by flood control improvements, prevention of siltation, control of erosion, or maintenance of lake levels;

(2) All lands 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.

Sec. 4. Laws 1959, Chapter 500, Article III, Section 8, Subdivision 3, is amended to read:

[162.08] Subd. 3. **Aid to townships.** Any county that prior to July 1, 1957, distributed to the towns within the county a portion of the money apportioned to it out of the state road and bridge fund, or now seeks to turn roads back to the townships, may, by resolution, allocate to the towns within its boundaries so much of the money apportioned to it under the provisions of ~~sections 8 and 9~~ *Laws 1959, Chapter 500, Article III, Sections 1 to 19*, that it deems necessary to aid the townships in the construction of town roads. The resolution shall set forth the amount of money or the percentage of its apportionment that the county has allocated to the towns. A certified copy of the resolution shall be forwarded to the commissioner on or before the second Tuesday of January of each year. Upon receipt of such

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resolution and as soon as he has determined the amount of money to be apportioned to the county, the commissioner shall certify to the state auditor the amount of money, as set forth in the resolution, that is to be paid out of the county's apportionment for distribution to the towns. The state auditor shall thereupon issue a warrant in that amount payable to the county treasurer, and the proceeds thereof shall be distributed by the county to the towns. All money so allocated and distributed shall be used by the towns solely for the construction of town roads in accordance with standards approved by the county board. No part of the money allocated for expenditure solely within cities, villages and boroughs having a population of less than 5,000 shall be allocated or distributed to the towns. The commissioner of highways shall maintain a permanent record of the allocations of county state-aid highway funds to the townships in each county. In making the annual apportionments of county state-aid highway funds, he shall reduce the money needs of said counties in the amounts necessary to equalize their status with those counties not making such township allotments.

Sec. 5. Laws 1959, Chapter 691, Section 2, Subdivision 1, is amended to read:

Sec. 2. [488.22] **Special judge; salary, instances when qualified to sit.** Subdivision 1. The salary of any special judge of a municipal court situated in a city, village or borough named in ~~this section~~ *Laws 1959, Chapter 691, Section 1*, shall be \$25 per day.

Sec. 6. Extra Session Laws 1959, Chapter 70, Article II, Section 7, is amended to read:

Sec. 7. [272.65] **School aids, counties without personal property tax.** Any property exempt from taxation pursuant to section 2 shall be considered as taxable property in the determination of school aids ~~pursuant to Minnesota Statutes, Chapter 128.~~

The amount of such exempt property shall be the adjusted assessed value of such class 2 property on the date of the last assessment of such property.

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