

upon at least 10 days' notice and opportunity to be heard, require the surety to pay the amount of the award, the same to be enforced in like manner as the award itself may be enforced.

Sec. 2. Effective date. This act shall take effect and be in force on and after July 1, 1945.

Approved February 28, 1945.

CHAPTER 32—S. F. No. 117

An act relating to the payment of premiums on the bonds of county officers and employees.

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

Section 1. Payment of premium for bonds of county officers and employees. The premium upon any bond now or hereafter required of any elected or appointed county officer or employee, and their respective deputies or assistants, together with the expense of recording or filing such bonds, shall be paid by the county in which such officers or employees are elected or appointed; provided that this act shall not apply in counties having a population of more than 250,000 inhabitants.

Approved March 2, 1945.

CHAPTER 33—H. F. No. 163

An act authorizing the county boards of the several counties, and the district courts of the several judicial districts in this state, to deepen, widen and improve existing ditches forming the outlet for waters from ditches connected therewith, to establish and construct off-take ditches or additional outlets, providing for the maintenance of the same and providing for the reimbursement of owners of land damaged thereby, and the determination of benefits and damages, and for the collection of cost and expenses of construction and mainte-

nance thereof by assessments against the property and political subdivisions benefited, and prescribing the duties of county officers and the courts in reference thereto.

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

Section 1. Improvement of certain ditches. In any case where one or more ditches or drainage systems, whether open or tiled, whether public or private, shall have been, or are being, or may hereafter be, constructed, or for the construction of which proceedings have been, or may hereafter be, initiated, the waters from which do, or it is contemplated shall, empty into any existing ditch or any creek, draw, watercourse, or body of water, whether meandered or not, and it is found or believed that the operation, performance, or additional ditch construction or drainage improvement shall cause, or is likely to cause, by reason of accumulated waters, the overflow of the waters of the drainage ditch, creek, draw, watercourse, or body of water into and through which said waters flow, and the inundation of the adjoining land, and it is believed that it is necessary to construct off-take or outlet ditches so as to create additional outlets for such waters in order to relieve said overflow conditions, or if it is believed that the deepening and widening of such existing drainage ditch, creek, draw or watercourse, which forms the outlet for other drainage systems, is necessary to take care of the waters coming into the same, then, and in that event, upon the filing of a petition by the county board of any county affected, or by not less than 25 per cent of the freeholders whose property is affected by such overflow, with the clerk of the district court of any county affected by the proposed improvement, setting forth in general terms the existence of the ditch or drainage system and the conditions of the creek, draw, watercourse, or body of water and outlet, and the necessity for the improvement hereinbefore specified; and, if need be, the controlling of the waters therein or in the body of water, or both, and that the proposed improvement will be a public benefit and utility and improve the public health and protect the land from overflow, and asking for the assessment of all lands in any existing or proposed drainage system, together with an assessment against any additional lands that may be benefited thereby by reason of the fact that waters therefrom empty in whole or in part into said outlet, and the extension of the same so as to furnish a proper outlet for all waters of the basin that naturally drain into or through said outlet or outlets, and that the cost of constructing, widening or improving said off-take or outlet ditch or of constructing additional outlet ditches, shall be borne by all of the lands that are or will be benefited, including the lands

in any existing or proposed drainage system, and in order to equitably apportion the cost of the construction of the drainage improvement, the extension of the outlet, or construction of additional outlet ditches, to all lands to be benefited, and that the petition, except when presented by a county, shall be accompanied by a proper bond; as provided in Section 106.03, the clerk of the court shall notify the judge thereof and the judge shall make an order fixing the time and place for a hearing upon the petition and ordering all proceedings then pending in any or all of said drainage proceedings to be stayed until the hearing and determination of such petition, which petition and order shall be served upon all persons and parties interested in such drainage proceedings by publication thereof once a week for three successive weeks prior to the date of the hearing in a legal newspaper in each county in which the proposed drainage improvements or any part thereof are situated; and, if any such proposed drainage proceedings are pending before the county board of any county the petition and order shall be served upon the county auditor and the clerk of the district court of the county.

Sec. 2. Hearing; order. Upon such hearing, the court shall proceed to hear all testimony offered in relation to the matter and, if it be made to appear that the allegations of the petition are true and that the same should be granted, he shall make an order granting the petition and giving said drainage proceedings a title and number by which it shall, in all subsequent proceedings, be designated, and appointing a competent civil engineer to make such additional surveys, and such changes and modifications of the surveys, reports, plans and estimates theretofore made as may be necessary, and fixing the time within which the modified and amended report of the engineer shall be filed in the office of the clerk of the district court of the county.

Upon the filing of the modified and amended report of the engineer, if any, the judge shall appoint three viewers to assess the benefits and damages in this drainage proceeding in accordance with the provisions of the drainage laws of this state, and thereafter the proceedings shall be continued and carried to final determination under the general drainage laws of this state as though originally commenced as one proceeding before the judge.

Sec. 3. Maintenance. Said off-take ditches or additional outlets and outlet ditches shall thereafter be maintained by the county or counties in which said drainage system is located and the cost of maintenance shall be assessed against all lands benefited thereby.

Sec. 4. Assessments upon state and subdivisions. The state and its various subdivisions shall be assessed, and shall pay toward the improvements specified in this Act, in proportion to the benefits each will derive therefrom and to such extent assist in the payment thereof.

Approved March 2, 1945.

CHAPTER 34—H. F. No. 336

An act relating to reciprocity on motor vehicle license fees; amending Minnesota Statutes 1941, Section 168.23, as amended by Laws 1943, Chapters 18 and 613.

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

Section 1. Minnesota Statutes 1941, Section 168.23, as amended by Laws 1943, Chapters 18 and 613, is hereby amended to read as follows:

168.23. Limitations. *Sections 168.18 to 168.23 shall not apply to a passenger motor vehicle owned by a resident of any state, District of Columbia or any Canadian province temporarily residing in this state while regularly employed therein under contract for a term of six months or more.*

Every non-resident, including any foreign corporation carrying on business except as herein provided within this state and owning and operating in such business any motor vehicle in intrastate commerce within this state shall be required to register each such vehicle and pay the same tax and penalties, if any, therefor as is required with reference to like vehicles owned by residents of Minnesota.

The reciprocity privileges provided by *sections 168.18 to 168.23* shall apply also to *motor vehicles exclusively used as school buses and not for hire.*

Approved March 2, 1945.