

managers shall *within 35 days thereafter by order fix a time and place within the district for a hearing at which the petitioners shall show cause why the managers shall not refer the petition back to the petitioners for such further proceedings thereon as the managers may determine or dismiss the petition. The notice shall state that the engineer's report is unfavorable, that it is on file with the managers and is subject to inspection, and the time and place for hearing thereon. The managers shall mail a copy of the notice to each of the petitioners at least 14 days before the hearing.*

Sec. 3. Minnesota Statutes 1957, Section 112.49, Subdivision 5, is amended to read:

Subd. 5. If the report of the engineer is favorable for the construction of the improvement the managers shall adopt the report and shall order the engineer to make a detailed survey and furnish all necessary plans and specifications for the proposed improvement and report the same to the managers with all reasonable dispatch. Where the proposed improvement includes or prays for the construction or improvement of any ditch, drain, stream, river, or watercourse the engineer's report shall, so far as applicable, conform to the provisions of Minnesota Statutes 1957, Section 106.121. Such detailed survey may be waived by the managers if it appears that sufficient data, plans, and specifications have been furnished by the United States to make such survey unnecessary.

Approved April 15, 1959.

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#### CHAPTER 243—S. F. No. 713

*An act relating to projects and improvement plans of watershed districts; amending Minnesota Statutes 1957, Section 112.48, Subdivision 1.*

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

Section 1. Minnesota Statutes 1957, Section 112.48, Subdivision 1, is amended to read:

**112.48 Projects and improvement plans.** Subdivision 1. After the project and improvement plan of the district has been approved and adopted, as provided for in section 112.46, a petition may be filed with the managers for any project or improvement within the district conforming in general with said plan. The petition therefor must be signed by not less than 25 percent of the resident freeholders, or by the owners of more than 25 percent of the property within the

limits of the area proposed to be improved, *provided however if the project or improvement petition consists of a drainage proceeding as defined in Minnesota Statutes 1957, Chapter 106, such petition shall be signed by a majority of the resident owners of the land described in the petition or by the owners of at least 60% of the areas of such land. The lands described in the petition shall be those over which the proposed improvement passes or is located, or such petition may be signed by a county board of any county affected, or by the governing body of any city, village, or borough lying wholly or partly within the area proposed to be improved. Provided, however, if the proposed project affects lands exclusively within a city, village, or borough, the petition shall originate from the governing body of such city, village, or borough. For the purposes of this section, holders of easements for electric or telephone transmission or distribution lines shall not be deemed freeholders or owners.* Such petition shall contain the following:

(1) A description of the work proposed, the plan of construction, and the purpose to be accomplished;

(2) A description of the lands over which the proposed improvement passes or is located;

(3) The part of the district which will be affected, is less than the entire district;

(4) The need and necessity for the proposed improvement;

(5) That the proposed improvement will be conducive to public health, convenience, and welfare;

(6) If the petition is not signed by a county board or the governing body of a city, village, or borough, that petitioners will pay all costs and expenses incurred thereby if the petition is not granted.

Approved April 15, 1959.

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CHAPTER 244—S. F. No. 714

[Coded]

*An act relating to procedure for termination of watershed districts; providing for the numbering of section 1.*

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

Section 1. [112.411] Procedure for termination.