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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **2365**

05/16/2015 Authored by Backer; Anderson, P., and Swedzinski

The bill was read for the first time and referred to the Committee on Agriculture Policy

03/29/2016 Adoption of Report: Re-referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act  
1.2 relating to drainage; modifying drainage system repair procedures; amending  
1.3 Minnesota Statutes 2014, section 103E.715, subdivision 4.

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

1.5 Section 1. Minnesota Statutes 2014, section 103E.715, subdivision 4, is amended to  
1.6 read:

1.7 Subd. 4. **Hearing on repair report.** (a) The drainage authority shall make findings  
1.8 and order the repair to be made if:

1.9 (1) the drainage authority determines from the repair report and the evidence  
1.10 presented that the repairs recommended are necessary for the best interests of the affected  
1.11 property owners; or

1.12 (2) the repair petition is signed by the owners of at least 26 percent of the property  
1.13 area affected by and assessed for the original construction of the drainage system, and  
1.14 the drainage authority determines that the drainage system is in need of repair so that it  
1.15 ~~no longer serves~~ can serve its original purpose and the cost of the repair will not exceed  
1.16 the total benefits ~~determined in the original drainage system proceeding~~ as determined by  
1.17 updating land values based on the county assessor's most recent estimated market value.

1.18 (b) The order must direct the auditor and the chair of the board or, for a joint county  
1.19 drainage system, the auditors of the affected counties to proceed and prepare and award a  
1.20 contract for the repair of the drainage system. The contract must be for the repair described  
1.21 in the repair report and as determined necessary by the drainage authority, and be prepared  
1.22 in the manner provided in this chapter for the original drainage system construction.