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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **3312**

February 21, 2008

Authored by Olin

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

March 19, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act  
1.2 relating to natural resources; modifying the maximum amount allowed in  
1.3 a drainage system repair fund; amending Minnesota Statutes 2006, section  
1.4 103E.735, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 103E.735, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **Authority and limits of fund.** To create a repair fund for a  
1.9 drainage system to be used only for repairs, the drainage authority may apportion and  
1.10 assess an amount against all property and entities assessed for benefits in proceedings  
1.11 for establishment of the drainage system, including property not originally assessed  
1.12 and subsequently found to be benefited according to law. The fund may not exceed 20  
1.13 percent of the assessed benefits of the drainage system or ~~\$40,000~~ \$100,000, whichever is  
1.14 greater. If the account in a fund for a drainage system exceeds the larger of 20 percent  
1.15 of the assessed benefits of the drainage system or ~~\$40,000~~ \$100,000, assessments for  
1.16 the fund may not be made until the account is less than the larger of 20 percent of the  
1.17 assessed benefits or ~~\$40,000~~ \$100,000. Assessments must be made pro rata according to  
1.18 the determined benefits. Assessments may be made payable, by order, in equal annual  
1.19 installments. The auditor shall file a tabular statement as provided in section 103E.731,  
1.20 subdivision 4, with the county recorder. Assessments must be collected as provided in  
1.21 section 103E.731.