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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-FIFTH  
SESSION

**HOUSE FILE No. 3541**

February 28, 2008

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

1.1 A bill for an act  
1.2 relating to waters; modifying cost apportionment for construction and  
1.3 maintenance of certain bridges and culverts; amending Minnesota Statutes 2006,  
1.4 section 103E.525, subdivisions 2, 4, 5.

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

1.6 Section 1. Minnesota Statutes 2006, section 103E.525, subdivision 2, is amended to  
1.7 read:

1.8 Subd. 2. **Road authority responsible for construction.** Bridges and culverts on  
1.9 public roads required by the construction or improvement of a drainage project or system  
1.10 must be constructed and maintained by the ditch authority unless the drainage project was  
1.11 initiated or requested by the road authority responsible for keeping the road in repair, in  
1.12 which case the road authority is responsible for the costs of construction and maintenance,  
1.13 except as otherwise provided in this section.

1.14 Sec. 2. Minnesota Statutes 2006, section 103E.525, subdivision 4, is amended to read:

1.15 Subd. 4. **Construction on line between two cities paid equally.** ~~The~~ If, under  
1.16 subdivision 2, any costs of constructing a bridge or culvert that is required by construction  
1.17 of a drainage project on a public road that is not a state trunk highway on the line between  
1.18 two statutory or home rule charter cities, whether in the same county or not, are attributable  
1.19 to the local road authority, the costs must be paid jointly, in equal shares, by the cities. The  
1.20 cities shall pay jointly, in equal shares, for the cost of maintaining the bridge or culvert.

1.21 Sec. 3. Minnesota Statutes 2006, section 103E.525, subdivision 5, is amended to read:

2.1           Subd. 5. **Construction on town and county lines.** ~~The~~ If, under subdivision 2, any  
2.2 cost of constructing and maintaining bridges and culverts on a town or county road across  
2.3 a drainage system ditch constructed along the boundary line between towns or counties,  
2.4 with excavated material deposited on the boundary line or within 33 feet of the line, is  
2.5 attributable to the local road authority, the cost must be paid equally by the town or county  
2.6 where the bridge or culvert is located and the other town or county adjoining the boundary.