§ 15-1905. Drainage improvement districts.

1. Bodies corporate which shall consist of and be known as drainage improvement districts may be created as herein provided to carry out the purposes of title 19 of this article. Such drainage improvement districts are declared to be public corporations and shall have perpetual existence and the power to acquire, hold or sell such real estate or other property as may be necessary, to sue or be sued, to incur contract liabilities, to exercise the right of eminent domain, and of assessment and taxation and to do all acts and exercise all powers necessary to accomplish the purposes of title 19 of this article. Such powers shall be exercised by and in the name of the district. The governing body of the district shall be the department.

2. The debts, liabilities and obligations incurred by a drainage improvement district shall in no event be construed as debts, liabilities or obligations of the State of New York, and neither the department, nor any member thereof in his individual capacity shall be liable therefor. All drainage improvement districts heretofore formed under the provisions of this chapter or its predecessor, the Conservation Law, are hereby declared to be such bodies corporate and all the provisions of title 19 of this article shall be applicable to such drainage improvement districts.

3. Drainage improvement districts generally shall include all such portions of a natural drainage basin as should be treated as one project on the assumption that all lands in such basin needing drainage are to be improved. The department may form a portion of such basin into a district, on the assumption that the district may later be extended to include the whole basin, but, in so far as may be possible, in that case the district formed shall be so laid out that all lands which eventually will drain into or be served by any part of the district works other than the main drainage channel, shall be included therein. It is intended that the boundaries of the district shall include all lands which would be enhanced in value by the construction of complete drainage works therefor and that land, the value of which will not be enhanced, shall be excluded, but in order to simplify the boundaries of

the district certain relatively small areas of land not so enhanced may be included on condition that they bear no part of the cost of any improvement work.