

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1084

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Authors: Hansen and others

Subject: Noxious weeds: county board of adjustment may serve as the appeal committee for appeals relating to noxious weed control or eradication

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Permits the county board to delegate to the county board of adjustment the duties of the appeal committee under the law relating to control and eradication of noxious weeds.

Minnesota Statutes, sections 18.76 to 18.88, contain procedures for controlling and eradicating noxious weeds on all lands within the state.

Under section 18.78, subdivision 1, "a person owning land, a person occupying land, or a person responsible for the maintenance of public land shall control or eradicate all noxious weeds on the land at a time and in a manner ordered by the county agricultural inspector or a local weed inspector."

Under section 18.83, a weed inspector may serve individual notice in writing on a person who owns, occupies, or is responsible for maintenance of land needing noxious weed control, giving specific instructions on when and how the named noxious weeds are to be controlled or eradicated. Appeal of an individual notice under current law is to the "appeal" committee appointed by the county board of commissioners. The committee must include a county board member or municipal officer and a landowner residing in the county.

Under Minnesota Statutes, section 394.27, subdivision 2, a county board of adjustment has between three and seven members, including at least one member from the unincorporated area of the county. Elected officers of the county and county employees cannot serve on the board of adjustment. One member of the board of adjustment must be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37.