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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 199

01/12/2017 Authored by Anderson, P.; Lueck; Schomacker; Miller; Swedzinski and others
The bill was read for the first time and referred to the Committee on Agriculture Policy

1.1 A bill for an act
1.2 relating to agriculture; requiring notification of adjacent landowners when the
1.3 presence of certain noxious weeds is confirmed; proposing coding for new law in
1.4 Minnesota Statutes, chapter 18.

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

1.6 Section 1. [18.885] ADJACENT LANDOWNER NOTIFICATION REQUIRED.

1.7 Subdivision 1. Definitions. (a) For purposes of this section, the definitions in this
1.8 subdivision have the meanings given.

1.9 (b) "Mandatory reporter" means an inspector, the commissioner of natural resources, or
1.10 an employee of University of Minnesota Extension.

1.11 (c) "Eradicate weed" means a weed classified and listed by the commissioner under
1.12 section 18.79, subdivision 13, as a prohibited noxious weed on the eradicate list.

1.13 Subd. 2. Notification required within four business days. (a) When a mandatory
1.14 reporter confirms the presence of an eradicate weed on a new parcel or tract of real estate
1.15 in this state, the mandatory reporter must notify the owner or occupant of each adjacent
1.16 parcel or tract of real estate within four business days.

1.17 (b) When a mandatory reporter provides notice under paragraph (a), the reporter must
1.18 also notify the commissioner in the form required by the commissioner.

1.19 Subd. 3. Notification contents. The notification required under this section must include
1.20 at least the following information:

1.21 (1) confirmation that the eradicate weed is or was recently present on adjacent property;

- 2.1 (2) how to identify and eradicate the weed;
- 2.2 (3) the means by which the eradicate weed is known or suspected to spread;
- 2.3 (4) the owner's or occupier's duties and rights under this chapter if the eradicate weed
- 2.4 should spread to their land; and
- 2.5 (5) appropriate contacts and sources for additional information.
- 2.6 Subd. 4. **Notification method.** The mandatory reporter must provide the notification
- 2.7 required under subdivision 2, paragraph (a), by certified mail or another method
- 2.8 acknowledging receipt.