

**Sec. 4. REPEALER.**

Minnesota Statutes 2004, sections 103F.383, subdivisions 1 and 2; 103F.385; 103F.389, subdivisions 3 and 4; and 103F.393, are repealed.

Presented to the governor May 6, 2005

Signed by the governor May 10, 2005, 7:55 a.m.

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**CHAPTER 48—S.F.No. 879**
**VETOED**


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**CHAPTER 49—S.F.No. 1016**

*An act relating to local government; permitting delegation of duties to board of adjustment; amending Minnesota Statutes 2004, section 18.83, subdivision 3.*

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

Section 1. Minnesota Statutes 2004, section 18.83, subdivision 3, is amended to read:

**Subd. 3. APPEAL OF INDIVIDUAL NOTICE; APPEAL COMMITTEE.** (1) A recipient of an individual notice may appeal, in writing, the order for control or eradication of noxious weeds. This appeal must be filed with a member of the appeal committee in the county where the land is located within two working days of the time the notice is received. The committee must inspect the land specified in the notice and report back to the recipient and the inspector who issued the notice within five working days, either agreeing, disagreeing, or revising the order. The decision may be appealed in district court. If the committee agrees or revises the order, the control or eradication specified in the order, as approved or revised by the committee, may be carried out.

(2) The county board of commissioners shall appoint members of the appeal committee. The membership must include a county commissioner or municipal official and a landowner residing in the county. The expenses of the members may be reimbursed by the county upon submission of an itemized statement to the county auditor. At its option the county board of commissioners, by resolution, may delegate the duties of the appeal committee to its board of adjustment established pursuant to section 394.27. When carrying out the duties of the appeal committee, the zoning board

New language is indicated by underline, deletions by ~~strikeout~~.

of adjustment shall comply with all of the procedural requirements of this section.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day after final enactment.

Presented to the governor May 6, 2005

Signed by the governor May 10, 2005, 8:20 a.m.

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**CHAPTER 50—S.F.No. 284**

*An act relating to health; authorizing the limited use of zero-depth public swimming pools without a lifeguard; amending Minnesota Statutes 2004, section 144.1222, by adding a subdivision.*

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

Section 1. Minnesota Statutes 2004, section 144.1222, is amended by adding a subdivision to read:

**Subd. 2c. POOLS USED FOR ADULT-ONLY RECREATION.** Notwithstanding Minnesota Rules, part 4717.1850, a pool with a zero-depth area may be used without a lifeguard present if access to the pool area is prohibited to individuals under the age of 18 years during the time a lifeguard is not present.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Presented to the governor May 6, 2005

Signed by the governor May 10, 2005, 8:10 a.m.

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**CHAPTER 51—S.F.No. 633**

*An act relating to transportation; modifying provisions relating to the use of freeway or expressway shoulders by transit buses and authorizing the commissioner of transportation to allow such use by metro mobility buses; amending Minnesota Statutes 2004, section 169.306.*

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

Section 1. Minnesota Statutes 2004, section 169.306, is amended to read:

**169.306 USE OF SHOULDERS BY BUSES.**

If (a) The commissioner of transportation permits may permit the use by transit buses and metro mobility buses of a shoulder of a freeway or expressway, as defined

**New language is indicated by underline, deletions by ~~strikeout~~.**