HOUSE RESEARCH =

Bill Summary =

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Overview

This bill relates to procedures for detachment of property from a city which, if detached, becomes part of the unincorporated town.

- Initiating the proceeding. Adds to the information to be submitted to the chief administrative law judge in initiating a detachment. Requires the petitioners or the municipality to state the reasons for seeking the detachment and to summarize efforts taken to resolve issues that form the basis for the detachment request. Requires petitioners seeking detachment without a resolution of the city to give a copy of the petition to the city. Also requires copies of the petition to be given to each affected property owner who is not a party to the petition, the clerk of the affected town, the clerk of any other abutting town or city, and the county recorder.
- Township options. Permits the town board notified in section 1 to submit to the chief administrative law judge a resolution of support, opposition or neutrality. Provides that failure to submit a resolution is deemed neutrality. Provides that if the town expresses a position other than neutral and it is opposed to the position of the municipality, the town becomes a party to the hearing.
- Hearing, if needed. Provides that no hearing is held and the petition is granted if everyone (municipality, all property owners and the town by supporting or being neutral) supports the petition. Provides that no hearing is held and the petition denied if the municipality and the town oppose the petition. In all other cases, a hearing is required and before the hearing the chief administrative law judge must order the parties to mediation.
- **Order.** Adds to the factors the chief administrative law judge considers all applicable comprehensive plans, land use regulations, and land use maps of the affected municipality, town, and county in making findings.
- Costs. Requires the chief administrative law judge to apportion costs in an equitable manner. Requires the petitioning landowners to pay at least half of the total costs unless the chief administrative law judge makes specific findings why another party should be responsible for a greater share.