

State of Minnesota
HOUSE OF REPRESENTATIVES
Unofficial Engrossment
House Engrossment of a Senate File

NINETIETH SESSION

S. F. No. 218

03/03/2017 Companion to House File No. 124. (Authors:Swedzinski, Gruenhagen, Lueck, Backer and Davids)
Read First Time and Sent for Comparison
03/06/2017 Substituted for H. F. No. 124
Read for the Second Time
03/28/2017 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act
1.2 relating to transportation; governing mowing and haying in trunk highway
1.3 right-of-way; establishing a temporary moratorium and requiring a recommendation
1.4 to the legislature.

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

1.6 Section 1. **TRUNK HIGHWAY MOWING OR HAYING.**

1.7 Subdivision 1. **Permits moratorium.** (a) Except as provided in paragraph (b), the
1.8 commissioner of transportation must implement a moratorium until April 30, 2018, on
1.9 enforcing permits under Minnesota Statutes, sections 160.232 and 160.2715, or any other
1.10 Minnesota statute or administrative rule, to mow or bale hay in right-of-way of a trunk
1.11 highway.

1.12 (b) This subdivision applies regardless of date of any permit issuance. This subdivision
1.13 does not apply to right-of-way in which adjacent land is under the jurisdiction of the state
1.14 or a political subdivision.

1.15 Subd. 2. **Recommendation to legislature.** (a) No later than March 1, 2018, the
1.16 commissioner of transportation must recommend to the legislative committees with
1.17 jurisdiction over transportation, agriculture, and natural resources establishment of a permit
1.18 or notification system to mow or hay in trunk highway right-of-way. The recommendation
1.19 must be developed with input from agriculture and environmental groups.

1.20 (b) The recommendation must contain at least the following elements:

1.21 (1) ease of permit application or notification;

1.22 (2) frequency of permits or notifications;

2.1 (3) priority given to the owner or occupant of private land adjacent to a trunk highway
2.2 right-of-way;

2.3 (4) determination of authority to mow or hay trunk highway right-of-way in which
2.4 adjacent land is under the jurisdiction of the state or a political subdivision; and

2.5 (5) recognition of differences in the abundance of wildlife habitat based on geographic
2.6 distribution throughout the state.

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