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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4313

03/17/2022 Authored by Hansen, R.; Huot; Feist; Jordan; Acomb and others
The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to transportation; establishing a highways for habitat program; requiring
- 1.3 a report; appropriating money; proposing coding for new law in Minnesota Statutes,
- 1.4 chapter 160.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. [160.2325] HIGHWAYS FOR HABITAT PROGRAM.
- 1.7 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
- 1.8 the meanings given.
- 1.9 (b) "Integrated roadside vegetation management" means an approach to right-of-way
- 1.10 maintenance that combines a variety of techniques with sound ecological principles to
- 1.11 establish and maintain safe, healthy, and functional roadsides. Integrated roadside vegetation
- 1.12 management includes but is not limited to judicious use of herbicides, spot mowing,
- 1.13 biological control, prescribed burning, mechanical tree and brush removal, erosion prevention
- 1.14 and treatment, and prevention and treatment of other right-of-way disturbances.
- 1.15 (c) "Program" means the highways for habitat program established in this section.
- 1.16 Subd. 2. Program establishment. The commissioner must establish a highways for
- 1.17 habitat program to enhance roadsides with pollinator and other wildlife habitat and vegetative
- 1.18 buffers.
- 1.19 Subd. 3. General requirements. In implementing the program, the commissioner must:
- 1.20 (1) identify and prioritize highways for habitat installations under an integrated roadside
- 1.21 vegetation management plan with priority given to new construction and reconstruction;

2.1 (2) develop and erect signage that identifies highways for habitat projects and clearly
2.2 marks the habitat and management restrictions;

2.3 (3) develop and require training for road authorities on the use of integrated roadside
2.4 vegetation management and native plant identification;

2.5 (4) assess, in consultation with the commissioners of natural resources and agriculture,
2.6 the categorization and management of noxious weeds to reduce the use of mowing and
2.7 pesticides;

2.8 (5) maintain a website that includes information on program implementation, integrated
2.9 roadside vegetation management, and related best management practices; and

2.10 (6) identify funding sources and develop proposals for ongoing funding for the program.

2.11 Subd. 4. **Management standards.** (a) The commissioner, in consultation with the
2.12 commissioner of natural resources and the Board of Water and Soil Resources, must develop
2.13 standards and best management practices for integrated roadside vegetation management
2.14 plans under the program.

2.15 (b) The standards and best management practices must include:

2.16 (1) guidance on seed and vegetation selection based on the Board of Water and Soil
2.17 Resources' native vegetation establishment and enhancement guidelines;

2.18 (2) requirements for roadside vegetation management protocols that use the least toxic
2.19 methods first;

2.20 (3) restrictions on broadcast herbicide spraying and mowing that are designed to avoid
2.21 habitat destruction and protect nesting birds and pollinators; and

2.22 (4) identification of appropriate right-of-way areas for wildflower propagation.

2.23 Sec. 2. **APPROPRIATION; REPORT.**

2.24 (a) \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner
2.25 of transportation for the highways for habitat program under Minnesota Statutes, section
2.26 160.2325. This is a onetime appropriation and is available until June 30, 2024. This
2.27 appropriation may be used to match federal funds made available for this purpose.

2.28 (b) By January 15, 2025, the commissioner of transportation must submit a report to the
2.29 chairs and ranking minority members of the legislative committees and divisions with
2.30 jurisdiction over transportation and the environment and natural resources on the

- 3.1 implementation of the highways for habitat program and the expenditure of the appropriation
- 3.2 in this section.