

**CHAPTER 15--S.F.No. 218**

*An act relating to transportation; governing mowing and haying in trunk highway right-of-way; establishing a temporary moratorium and requiring a recommendation to the legislature.*

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

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

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

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

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

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

(1) ease of permit application or notification;

(2) frequency of permits or notifications;

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

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

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

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

Presented to the governor April 6, 2017