

1.1 moves to amend H.F. No. 4008 as follows:

1.2 Page 1, after line 4, insert:

1.3 "Section 1. Minnesota Statutes 2016, section 160.23, is amended to read:

1.4 **160.23 DESTRUCTION OF NOXIOUS WEEDS.**

1.5 Road authorities, including road authorities of cities ~~shall cause,~~ must cut down, eradicate,
1.6 or otherwise destroy all noxious weeds on ~~their respective~~ highways and streets ~~to be cut~~
1.7 ~~down or otherwise destroyed or eradicated~~ owned or controlled by the road authority. The
1.8 cutting, eradication, or destruction must occur as often as ~~may be~~ is necessary to prevent
1.9 the ripening or scattering of seed and other propagating parts of ~~such~~ the noxious weeds.
1.10 When destroying noxious weeds within a right-of-way, a road authority must use the most
1.11 effective integrated pest management method that is minimally disruptive to pollinators. If
1.12 noxious weed conditions do not merit full treatment of the entire right-of-way, spot treatment
1.13 must be used.

1.14 Sec. 2. Minnesota Statutes 2016, section 160.232, is amended to read:

1.15 **160.232 MOWING DITCHES ~~OUTSIDE CITIES;~~ POLLINATOR**
1.16 **MANAGEMENT.**

1.17 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
1.18 the meanings given them.

1.19 (b) "Integrated roadside vegetation management" means an approach to right-of-way
1.20 maintenance that combines a variety of techniques with sound ecological principles to
1.21 establish and maintain safe, healthy, functional roadsides. Integrated roadside vegetation
1.22 management includes but is not limited to judicious use of herbicides, spot mowing,
1.23 prescribed burning, mechanical tree and brush removal, erosion prevention and treatment,
1.24 and prevention and treatment of other right-of-way disturbances.

2.1 (c) "Pollinator" has the meaning given in section 18B.01, subdivision 20a.

2.2 Subd. 2. **Applicability.** (a) The commissioner of transportation must comply with the
2.3 provisions of this section with respect to trunk highways and other roadway rights-of-way
2.4 owned or controlled by the Department of Transportation.

2.5 (b) Other road authorities, including counties, municipalities, and other local government
2.6 units, may and are encouraged to comply with the provisions of this section with respect to
2.7 highway and other roadway rights-of-way owned or controlled by the road authority.

2.8 (c) Subdivisions 4 and 5 apply only for the Department of Transportation metropolitan
2.9 district.

2.10 Subd. 3. **Right-of-way mowing; maintenance.** (a) To provide enhanced roadside habitat
2.11 for pollinators, nesting birds, and other small wildlife, a road ~~authorities may not mow or~~
2.12 ~~the~~ authority is prohibited from mowing, burning, tilling, or haying the right-of-way of a
2.13 highway located outside of a home rule charter or statutory city except as ~~allowed in~~ provided
2.14 by this section and section 160.23.

2.15 (b) On any highway, the first eight to 16 feet away from the road surface, or shoulder
2.16 if one exists, may be mowed ~~at any time~~ as necessary for use as a safety zone for vehicles
2.17 to stop on the roadway or to maintain sight distance for safety.

2.18 (c) ~~One side of an entire right-of-way may be mowed after July 31. From August 31 to~~
2.19 ~~the following July 31, the entire right-of-way may only be mowed~~ once per year if the road
2.20 authority demonstrates via an on-site evaluation that doing so is necessary for safety or
2.21 maintenance reasons, ~~but may not be mowed to a height of less than 12 inches.~~ A road
2.22 authority is prohibited from mowing both sides of an entire right-of-way during the same
2.23 calendar year.

2.24 (d) ~~A right-of-way may be mowed as necessary to maintain sight distance for safety and~~
2.25 ~~may be mowed at other times under rules of the commissioner, or by ordinance of a local~~
2.26 ~~road authority not conflicting with the rules of the commissioner.~~

2.27 (~~e~~) (d) A right-of-way may be mowed, burned, ~~or~~ tilled, or hayed to prepare the
2.28 right-of-way ~~for the establishment of~~ to establish or maintain permanent prairie vegetative
2.29 cover ~~or for prairie vegetation management~~, including forbs and native flowering plants.

2.30 (f) ~~When feasible, road authorities are encouraged to utilize low maintenance, native~~
2.31 ~~vegetation that reduces the need to mow, provides wildlife habitat, and maintains public~~
2.32 safety.

3.1 ~~(g) The commissioner of natural resources shall cooperate with the commissioner of~~
3.2 ~~transportation to provide enhanced roadside habitat for nesting birds and other small wildlife.~~

3.3 (e) Except as provided under paragraph (d), a road authority is prohibited from mowing,
3.4 burning, tilling, or haying a right-of-way containing native plantings or designated as a
3.5 wildflower highway under subdivision 4.

3.6 Subd. 4. **Pollinator habitat management practices; right-of-way mapping.** (a) In
3.7 collaboration with the commissioners of agriculture and natural resources and the Board of
3.8 Water and Soil Resources, the commissioner of transportation must establish pollinator
3.9 habitat management best practices for public highway rights-of-way in Minnesota. The
3.10 pollinator habitat management practices must include the establishment of native plantings
3.11 and designated wildflower highways where mowing, tilling, burning, or haying is prohibited.

3.12 (b) When feasible, road authorities are encouraged to utilize low maintenance, native
3.13 vegetation that reduces the need to mow, provides wildlife habitat, and maintains public
3.14 safety. The commissioner of natural resources must cooperate with the commissioner of
3.15 transportation to provide enhanced roadside habitat for nesting birds, pollinators, and other
3.16 small wildlife.

3.17 (c) The commissioner of transportation must make available on a public Web site maps
3.18 indicating where public rights-of-way subject to this section exist, including any newly
3.19 constructed rights-of-way and any established mowing schedule for the rights-of-way. The
3.20 maps must also identify public rights-of-way adjacent to: (1) public parks, forests, wildlife
3.21 management areas, scientific and natural areas, and other lands similarly managed for
3.22 wildlife or pollinator habitat in grassland areas; (2) private lands managed as wildlife or
3.23 pollinator habitats; and (3) farmland managed as wildlife or pollinator grassland habitats,
3.24 including farmland not treated with pesticides. To the extent practicable, the commissioner
3.25 shall post signs indicating where the areas under paragraph (a) and clauses (1) to (3) exist.

3.26 Subd. 5. **Pollinator habitat management performance plan.** (a) The commissioner
3.27 must develop and implement a performance-based pollinator habitat management plan for
3.28 the trunk highway system to improve the condition of existing pollinator habitat and enhance
3.29 the effectiveness of pollinator habitat management. The performance plan must include
3.30 strategies to achieve best practices for pollinator habitat management within trunk highway
3.31 rights-of-way.

3.32 (b) At a minimum, the performance plan must:

3.33 (1) measure, enhance, and restore acres of trunk highway rights-of-way as prairie lands,
3.34 wetlands, and recreational lands such as parks, trails, and open space;

4.1 (2) measure and reduce pounds of pesticides and other chemicals applied within trunk
4.2 highway rights-of-way;

4.3 (3) measure and reduce energy consumption due to mowing within trunk highway
4.4 rights-of-way; and

4.5 (4) measure and reduce hours of labor in mowing within trunk highway rights-of-way.

4.6 (c) The commissioner must include annual performance targets to be achieved for each
4.7 measure under paragraph (b). Additional predictive and consequential performance measures
4.8 and annual performance targets may be identified in collaboration with the public.

4.9 (d) Annually by December 15, the commissioner must submit the pollinator habitat
4.10 management plan, including information detailing the department's progress on implementing
4.11 the plan and an annual investment plan, to the chairs and ranking minority members of the
4.12 legislative committees having jurisdiction over transportation policy and finance. The
4.13 pollinator habitat management plan must be signed by a professional engineer licensed in
4.14 Minnesota."

4.15 Renumber the sections in sequence and correct the internal references

4.16 Amend the title accordingly