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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1661**

March 5, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

1.1 A bill for an act
1.2 relating to natural resources; providing for management of native prairies in
1.3 railroad rights-of-way; requiring rulemaking; appropriating money; amending
1.4 Minnesota Statutes 2006, section 219.99.

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

1.6 Section 1. Minnesota Statutes 2006, section 219.99, is amended to read:

1.7 **219.99 RAILROAD PRAIRIE RIGHT-OF-WAY; BEST MANAGEMENT**
1.8 **PRACTICES.**

1.9 Subdivision 1. **Prairie preservation plan.** The commissioner of natural resources
1.10 shall conduct a field review of railroad rights-of-way to identify native prairie. The priority
1.11 will be to identify and conduct a field review of any surveys which have been conducted
1.12 previously, whether by public or private persons, of native prairies within railroad
1.13 rights-of-way in this state. In cooperation with railroad companies, the commissioner shall
1.14 identify management practices used to control vegetation along railroad rights-of-way. The
1.15 commissioner shall then assess the impact of those management practices on the prairie
1.16 lands within the railroad rights-of-way. Based on that assessment, the commissioner ~~and~~
1.17 ~~railroad companies~~ shall ~~jointly~~ develop ~~voluntary~~ a plan of best management practices
1.18 for preserving prairie lands within railroad the rights-of-way of each railroad company.

1.19 Subd. 2. **Management practices schedule.** No later than March 15 each year, each
1.20 railroad company shall register with the commissioner of natural resources a schedule
1.21 detailing how the railroad company will comply with its plan of best management
1.22 practices to preserve its prairie lands in the forthcoming 12 months.

1.23 Subd. 3. **Rules.** The commissioner of natural resources shall adopt rules, including
1.24 regular inspection of prairies on railroad rights-of-way, to implement this section. The

2.1 commissioner shall present to the 2008 session of the legislature a plan to recover costs
2.2 of the rulemaking.

2.3 Sec. 2. **APPROPRIATION.**

2.4 \$..... in fiscal year 2008 is appropriated from the general fund to the commissioner
2.5 of natural resources for the plans and compliance issues in section 1.