

1.1 Senator moves to amend H.F. No. 2887, in conference committee, as
1.2 follows:

1.3 On Transportation Part D, R21, Senate language (UEH2887-2)

1.4 Page 142, delete section 20 and insert:

1.5 "Sec. 20. Minnesota Statutes 2022, section 161.45, subdivision 1, is amended to read:

1.6 Subdivision 1. **Rules.** (a) Electric transmission, telephone, or telegraph lines; pole lines;
1.7 community antenna television lines; railways; ditches; sewers; water, heat, or gas mains;
1.8 gas and other pipelines; flumes; or other structures which, under the laws of this state or
1.9 the ordinance of any city, may be constructed, placed, or maintained across or along any
1.10 trunk highway, or the roadway thereof, by any person, persons, corporation, or any
1.11 subdivision of the state, may be so maintained or hereafter constructed only in accordance
1.12 with such rules as may be prescribed by the commissioner who shall have power to prescribe
1.13 and enforce reasonable rules with reference to the placing and maintaining along, across,
1.14 or in any such trunk highway of any of the utilities hereinbefore set forth.

1.15 (b) Except as necessary to protect public safety or ensure the proper function of the trunk
1.16 highway including future expansions, the rules prescribed by the commissioner under
1.17 paragraph (a) must not prohibit an entity from placing and maintaining electric transmission
1.18 lines along, across, or in any trunk highway if the entity:

1.19 (1) has a right to use the public road right-of-way pursuant to section 222.37, subdivision
1.20 1;

1.21 (2) has a power purchase agreement or an agreement to transfer ownership with a
1.22 Minnesota utility that directly, or through its members and agents, provides retail electric
1.23 service in the state; and

1.24 (3) obtains a permit from the commissioner.

1.25 (c) The commissioner must decide whether to issue a permit to an entity within 60 days
1.26 of receiving the entity's request.

1.27 (d) Nothing herein shall restrict the actions of public authorities in extraordinary
1.28 emergencies nor restrict the power and authority of the commissioner of commerce as
1.29 provided for in other provisions of law. Provided, however, that in the event any local
1.30 subdivision of government has enacted ordinances relating to the method of installation or
1.31 requiring underground installation of such community antenna television lines, the permit

- 2.1 granted by the commissioner of transportation shall require compliance with such local
- 2.2 ordinance."