

HOUSE RESEARCH

Bill Summary

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Subject: Utility License for Crossing Public Lands

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Overview

This bill would provide an exception from utility crossing license fees that apply when utilities cross public lands and waters that are located in existing public road right-of-ways.

Section

- 1 Existing road right-of-way; fee exemption.** Adds § 84.415, subd. 7. Exempts utility crossings (which include lines, cables, and conduits for telephone, telegraph, or electric power, and pipelines for gases, liquids, or solids in suspension) from fees applicable when crossing public lands or waters provided the crossing is in an existing right-of-way of a public road.

The licenses are provided by the Department of Natural Resources and the applicable fees include fees both prescribed by statute and rule. There is an application fee of \$500 and a fee for the license based upon the type of utility, the type of crossing (public land/water), the length of the crossing and the amount of the disturbance (applicable fees can be found in Minnesota Rules, chapter 6135). There are additional fees that were established in statute during the 2009 session, including a supplemental application fee (\$1,750 for a public water crossing and \$3,000 for a public land crossing) and a monitoring fee to cover the “projected reasonable costs for monitoring the construction of the utility line and prepare special terms and conditions of the license” as determined by the commissioner.