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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **359**

January 25, 2007

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The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs

1.1 A bill for an act
1.2 relating to the Metropolitan Airports Commission; adding mayors to the
1.3 commission membership; amending Minnesota Statutes 2006, sections 473.604,
1.4 subdivision 1; 473.605, subdivision 2; 473.622; repealing Minnesota Statutes
1.5 2006, section 473.601, subdivisions 3, 6.

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

1.7 Section 1. Minnesota Statutes 2006, section 473.604, subdivision 1, is amended to read:

1.8 Subdivision 1. **Composition.** The commission consists of:

1.9 (1) the mayor of each of the cities of Minneapolis, St. Paul, Bloomington, Eagan,
1.10 Mendota Heights, and Richfield, or a qualified voter appointed by the mayor, for the
1.11 term of office as mayor;

1.12 (2) eight members, appointed by the governor, one from each of the following
1.13 agency districts:

1.14 (i) district A, consisting of council districts 1 and 2;

1.15 (ii) district B, consisting of council districts 3 and 4;

1.16 (iii) district C, consisting of council districts 5 and 6;

1.17 (iv) district D, consisting of council districts 7 and 8;

1.18 (v) district E, consisting of council districts 9 and 10;

1.19 (vi) district F, consisting of council districts 11 and 12;

1.20 (vii) district G, consisting of council districts 13 and 14; and

1.21 (viii) district H, consisting of council districts 15 and 16.

1.22 Each member shall be a resident of the district represented. For appointments after June 2,
1.23 2006, a member must have resided in the district for at least six months and in the state
1.24 for at least one year immediately preceding the appointment. The terms of the members

2.1 from districts A, B, F, and H expire on January 1, 2007. The terms of the members from
 2.2 districts C, D, E, and G expire on January 5, 2009. The successors of each member must
 2.3 be appointed to four-year terms. Before making an appointment, the governor shall
 2.4 consult with each member of the legislature from the district for which the member is to
 2.5 be appointed, to solicit the legislator's recommendation on the appointment;

2.6 (3) four members appointed by the governor from outside of the metropolitan area to
 2.7 reflect fairly the various regions and interests throughout the state that are affected by the
 2.8 operation of the commission's major airport and airport system. Two of these members
 2.9 must be residents of statutory or home rule charter cities, towns, or counties containing an
 2.10 airport designated by the commissioner of transportation as a key airport. The other two
 2.11 must be residents of statutory or home rule charter cities, towns, or counties containing
 2.12 an airport designated by the commissioner of transportation as an intermediate airport.
 2.13 The members must be appointed by the governor as follows: one for a term of one year,
 2.14 one for a term of two years, one for a term of three years, and one for a term of four
 2.15 years. All of the terms start on July 1, 1989. The successors of each member must be
 2.16 appointed to four-year terms commencing on the first Monday in January of each fourth
 2.17 year after the expiration of the original term. Before making an appointment, the governor
 2.18 shall consult each member of the legislature representing the municipality or county
 2.19 from which the member is to be appointed, to solicit the legislator's recommendation
 2.20 on the appointment; and

2.21 (4) a chair appointed by the governor for a term of four years. The chair may be
 2.22 removed at the pleasure of the governor.

2.23 Sec. 2. Minnesota Statutes 2006, section 473.605, subdivision 2, is amended to read:

2.24 Subd. 2. **Per diem, expenses; exception.** Each commission member shall receive
 2.25 \$50 per diem compensation and be reimbursed for actual and necessary expenses. The
 2.26 chair shall receive a salary as prescribed in section 15A.0815 and shall be reimbursed
 2.27 for reasonable expenses to the same extent as a member. The mayors and members of
 2.28 the city councils of Minneapolis ~~and~~, St. Paul, Bloomington, Eagan, Mendota Heights,
 2.29 and Richfield shall not be eligible for per diem compensation. The annual budget of
 2.30 the commission shall provide as a separate account anticipated expenditures for per
 2.31 diem, travel, and associated expenses for the chair and members, and compensation or
 2.32 reimbursement shall be made to the chair and members only when budgeted.

2.33 Sec. 3. Minnesota Statutes 2006, section 473.622, is amended to read:

2.34 **473.622 EXISTING AIRPORTS; CONTROL, JURISDICTION.**

3.1 The corporation shall exercise control and jurisdiction over any other airport within
3.2 either 35 miles of the city hall of either the city of Minneapolis or St. Paul or within
3.3 the metropolitan area. Control and jurisdiction of the corporation over any privately
3.4 or publicly owned airport shall be limited to control and jurisdiction of the flight and
3.5 traffic patterns of such airport in the interests of safety of the operation of any airport
3.6 owned or operated by the corporation. No airport shall be acquired or operated within
3.7 the metropolitan area without first securing the approval of the corporation, provided,
3.8 however, such approval shall not be withheld except after notice to all interested parties
3.9 and a public hearing held thereon, as provided in section 360.018, subdivision 7, and then
3.10 only upon a finding by the corporation that the acquisition or operation of such airport
3.11 would create a flight hazard to any airport or airports owned or operated by it. As to any
3.12 airport once licensed with the approval of the corporation, approval of the continued
3.13 operation of such airport shall at no time be withdrawn by the corporation except after
3.14 notice to all interested parties, a public hearing had, and a finding by the corporation based
3.15 on substantial evidence that the operation of such airport is inconsistent with the safety of
3.16 flight to and from an airport owned or operated or presently to be or being constructed to
3.17 be operated by the corporation, and then only after payment of just compensation to cover
3.18 the loss sustained by reason of such withdrawal, such just compensation, if not arrived at
3.19 by agreement, to be ascertained in the condemnation of said airport by the corporation
3.20 under the power of eminent domain, the commission to institute the condemnation
3.21 proceedings promptly and to pay in connection with the prosecution thereof all reasonable
3.22 and necessary expenses incurred not only by it but also by the owner of such airport.

3.23 **Sec. 4. REPEALER.**

3.24 Minnesota Statutes 2006, section 473.601, subdivisions 3 and 6, are repealed.