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# HOUSE FILE No. 2591

## *FIRST COMMITTEE ENGROSSMENT*

February 4, 2010

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The bill was read for the first time and referred to the Committee on Finance

*Referred by Chair to Transportation Finance and Policy Division.*

March 11, 2010

*Returned to the Committee on Finance as Amended.*

1.1 A bill for an act  
 1.2 relating to transportation; making supplemental appropriations and reductions  
 1.3 to appropriations; establishing a new trunk highway emergency relief account;  
 1.4 amending provisions related to trunk highway bonding and hazardous materials  
 1.5 permits; amending Minnesota Statutes 2008, section 161.04, by adding a  
 1.6 subdivision; Laws 2008, chapter 152, article 2, section 3, subdivision 2; repealing  
 1.7 Minnesota Statutes 2008, sections 13.721, subdivision 4; 221.0355, subdivisions  
 1.8 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18.

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

1.10 **ARTICLE 1**  
 1.11 **TRANSPORTATION**

1.12 Section 1. **SUMMARY OF APPROPRIATIONS.**

1.13 The amounts shown in this section summarize direct appropriations, or reductions in  
 1.14 appropriations, by fund, made in this article.

	<u>2010</u>		<u>2011</u>		<u>Total</u>
1.16 <u>General</u>	\$	<u>0</u>	\$	(5,711,000)	(5,711,000)
1.17 <u>Trunk Highway</u>		<u>0</u>		109,000,000	109,000,000
1.18 <b><u>Total</u></b>	<b><u>\$</u></b>	<b><u>0</u></b>	<b><u>\$</u></b>	<b><u>103,289,000</u></b>	<b><u>103,289,000</u></b>

1.19 Sec. 2. **APPROPRIATIONS.**

1.20 The sums shown in the columns marked "Appropriations" are added to or, if shown  
 1.21 in parentheses, subtracted from the appropriations in Laws 2009, chapter 36, article 1,  
 1.22 to the agencies and for the purposes specified in this article. The appropriations and  
 1.23 reductions are from the trunk highway fund or another named fund, and are available  
 1.24 for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in  
 1.25 this article mean that the addition to or subtraction from the appropriation listed under

2.1 them is available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively.  
 2.2 Supplemental appropriations and reductions to appropriations for the fiscal year ending  
 2.3 June 30, 2010, are effective the day following final enactment.

2.4		<b><u>APPROPRIATIONS</u></b>	
2.5		<b><u>Available for the Year</u></b>	
2.6		<b><u>Ending June 30</u></b>	
2.7		<b><u>2010</u></b>	<b><u>2011</u></b>

2.8 **Sec. 3. DEPARTMENT OF**  
 2.9 **TRANSPORTATION**

2.10	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>0</u></b>	<b><u>\$</u></b>	<b><u>108,129,000</u></b>
2.11	<u>Appropriations by Fund</u>				
2.12		<u>2010</u>		<u>2011</u>	
2.13	<u>General</u>	<u>0</u>		<u>(871,000)</u>	
2.14	<u>Trunk Highway</u>	<u>0</u>		<u>109,000,000</u>	

2.15 The amounts that may be spent or must be  
 2.16 reduced for each purpose are specified in the  
 2.17 following subdivisions.

2.18 **Subd. 2. Multimodal Systems**

2.19	<b><u>(a) Transit</u></b>	<u>0</u>	<u>(821,000)</u>
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2.20 This reduction is from the appropriation  
 2.21 from the general fund for transit assistance in  
 2.22 Laws 2009, chapter 36, article 1, section 3,  
 2.23 subdivision 2, paragraph (b).

2.24 The base appropriation from the general fund  
 2.25 for fiscal years 2012 and 2013 is \$16,608,000  
 2.26 for each year.

2.27	<b><u>(b) Freight</u></b>	<u>0</u>	<u>(50,000)</u>
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2.28 This reduction is from the appropriation from  
 2.29 the general fund for freight and commercial  
 2.30 vehicle operations in Laws 2009, chapter 36,  
 2.31 article 1, section 3, subdivision 2, paragraph  
 2.32 (d).

3.1 The base appropriation from the general fund  
 3.2 for fiscal years 2012 and 2013 is \$315,000  
 3.3 for each year.

3.4 **Subd. 3. State Roads**

3.5 **(a) State Road Construction** 0 104,000,000

3.6 This appropriation is for state road  
 3.7 construction, and is added to appropriations  
 3.8 under Laws 2009, chapter 36, article 1,  
 3.9 section 3, subdivision 3, paragraph (b),  
 3.10 clause (2). This additional appropriation is  
 3.11 funded by additional federal highway aid  
 3.12 of \$104,000,000 above that specified in  
 3.13 Laws 2009, chapter 36, article 1, section 3,  
 3.14 subdivision 3, paragraph (b), clause (2). This  
 3.15 is a onetime appropriation.

3.16 **(b) Federal Emergency Relief Account** 0 5,000,000

3.17 This appropriation is for deposit in the  
 3.18 trunk highway emergency relief account,  
 3.19 as defined in Minnesota Statutes, section  
 3.20 161.04, subdivision 5, for the purposes of  
 3.21 that account. This is a onetime appropriation.

3.22 **Sec. 4. METROPOLITAN COUNCIL** \$ 0 \$ **(4,840,000)**

3.23 This reduction is from the appropriation from  
 3.24 the general fund for bus system operations  
 3.25 in Laws 2009, chapter 36, article 1, section  
 3.26 4, subdivision 2.

3.27 The base appropriation from the general fund  
 3.28 for fiscal years 2012 and 2013 is \$63,095,000  
 3.29 for each year.

3.30 Sec. 5. Minnesota Statutes 2008, section 161.04, is amended by adding a subdivision  
 3.31 to read:

4.1 Subd. 5. **Trunk highway emergency relief account.** (a) The trunk highway  
 4.2 emergency relief account is created in the trunk highway fund. Money in the account  
 4.3 is appropriated to the commissioner to be used to fund relief activities related to an  
 4.4 emergency, as defined in section 161.32, subdivision 3.

4.5 (b) Reimbursements by the Federal Highway Administration for emergency relief  
 4.6 payments made from the trunk highway emergency relief account must be deposited  
 4.7 into the account. Interest accrued on the account must be deposited into the account.  
 4.8 Notwithstanding section 16A.28, money in the account is available until spent. If the  
 4.9 balance of the account at the end of the fiscal year is greater than \$10,000,000, the amount  
 4.10 above \$10,000,000 must be transferred to the trunk highway fund.

4.11 (c) By September 1, 2012, and in every subsequent even-numbered year by  
 4.12 September 1, the commissioner shall submit a report to the chairs and ranking minority  
 4.13 members of the house of representatives and senate committees having jurisdiction over  
 4.14 transportation policy and finance. The report must include the balance, as well as details  
 4.15 of payments made from and deposits made to the trunk highway emergency relief account  
 4.16 since the last report.

4.17 Sec. 6. Laws 2008, chapter 152, article 2, section 3, subdivision 2, is amended to read:

4.18 **Subd. 2. State Road Construction** 1,717,694,000

4.19 (a) For the actual construction,  
 4.20 reconstruction, and improvement of  
 4.21 trunk highways, including design-build  
 4.22 contracts and consultant usage to support  
 4.23 these activities. This includes the cost  
 4.24 of actual payments to landowners for  
 4.25 lands acquired for highway rights-of-way,  
 4.26 payments to lessees, interest subsidies, and  
 4.27 relocation expenses. This appropriation is in  
 4.28 the following amounts:

4.29 (1) \$417,694,000 in fiscal year 2009, and the  
 4.30 commissioner may use up to \$71,008,000 of  
 4.31 this amount for program delivery;

4.32 (2) \$500,000,000 in fiscal year 2010, and the  
 4.33 commissioner may use up to \$85,000,000 of  
 4.34 this amount for program delivery; ~~and~~

5.1 (3) \$200,000,000 in each fiscal year for fiscal  
5.2 years 2011 and 2012, and the commissioner  
5.3 may use up to \$34,000,000 of the amount in  
5.4 each fiscal year for program delivery; and

5.5 (4) \$100,000,000 in each fiscal year for  
5.6 fiscal years ~~2011 through 2018~~ 2013 through  
5.7 2016, and the commissioner may use up to  
5.8 \$17,000,000 of the amount in each fiscal year  
5.9 for program delivery.

5.10 (b) Of the amount in fiscal year 2009,  
5.11 \$40,000,000 is for construction of  
5.12 interchanges involving a trunk highway,  
5.13 where the interchange will promote economic  
5.14 development, increase employment, relieve  
5.15 growing traffic congestion, and promote  
5.16 traffic safety. The amount under this  
5.17 paragraph must be allocated 50 percent to  
5.18 the department's metropolitan district, and 50  
5.19 percent to districts in greater Minnesota.

5.20 (c) Of the amount in fiscal years 2009  
5.21 and 2010, the commissioner shall use  
5.22 \$300,000,000 each year for predesign,  
5.23 design, preliminary engineering,  
5.24 right-of-way acquisition, construction,  
5.25 reconstruction, and maintenance of bridges  
5.26 in the trunk highway bridge improvement  
5.27 program under Minnesota Statutes, section  
5.28 165.14.

5.29 (d) Of the total appropriation under this  
5.30 subdivision, the commissioner shall use at  
5.31 least \$50,000,000 for accelerating transit  
5.32 facility improvements on or adjacent to trunk  
5.33 highways.

5.34 (e) Of the total appropriation under this  
5.35 subdivision provided to the Department of

6.1 Transportation's district 7, the commissioner  
6.2 shall first expend funds as necessary to  
6.3 accelerate all projects that (1) are on a trunk  
6.4 highway classified as a medium priority  
6.5 interregional corridor, (2) are included in the  
6.6 district's long-range transportation plan, but  
6.7 are not included in the state transportation  
6.8 improvement program or the ten-year  
6.9 highway work plan, and (3) expand capacity  
6.10 from a two-lane highway to a freeway  
6.11 or expressway, as defined in Minnesota  
6.12 Statutes, section 160.02, subdivision 19. The  
6.13 commissioner shall establish as the highest  
6.14 priority under this paragraph any project that  
6.15 currently has a final environmental impact  
6.16 statement completed. The requirement  
6.17 under this paragraph does not change the  
6.18 department's funding allocation process  
6.19 or the amount otherwise allocated to each  
6.20 transportation district.

6.21 (f) The appropriation in this subdivision  
6.22 cancels as specified under section 16A.642,  
6.23 except that the commissioner of management  
6.24 and budget shall count the start of  
6.25 authorization for issuance of state bonds as  
6.26 the first day of the fiscal year during which  
6.27 the bonds are to be issued, as specified under  
6.28 paragraph (a), clause (1), (2), (3), or (4),  
6.29 respectively, and not as the date of final  
6.30 enactment of this subdivision.

6.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.32 Sec. 7. **REPEALER.**

6.33 Minnesota Statutes 2008, sections 13.721, subdivision 4; and 221.0355, subdivisions  
6.34 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16, 17, and 18, are repealed.