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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1221**

March 2, 2009

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

April 21, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to transportation; bridges; establishing Stillwater lift bridge endowment
1.3 account; proposing coding for new law in Minnesota Statutes, chapter 165.

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

1.5 Section 1. **[165.15] STILLWATER LIFT BRIDGE ENDOWMENT ACCOUNT.**

1.6 Subdivision 1. Account established. The Stillwater lift bridge endowment account
1.7 is established in the state treasury. The account may consist of appropriations made by the
1.8 state of Minnesota or Wisconsin and may include federal funds. The account may also
1.9 receive private contributions, gifts, or grants under section 16A.013. Any interest or profit
1.10 accruing from investment of these sums is credited to the account.

1.11 Subd. 2. Use of funds. (a) Income derived from the investment of principal in the
1.12 account may be used by the commissioner of transportation for operations and routine
1.13 maintenance of the Stillwater lift bridge. No money from this account may be used for
1.14 any purposes except those described in this section, and no money from this account
1.15 may be transferred to any other account in the state treasury without specific legislative
1.16 authorization. Any money transferred from the trunk highway fund may only be used for
1.17 trunk highway purposes. For the purposes of this section:

1.18 (1) "Income" is the amount of interest on debt securities and dividends on equity
1.19 securities. Any gains or losses from the sale of securities must be added to the principal
1.20 of the account.

1.21 (2) "Routine maintenance" means activities that are predictable and repetitive, but
1.22 not activities that would constitute major repairs or rehabilitation.

1.23 (b) Investment management fees incurred by the State Board of Investment are
1.24 eligible expenses for reimbursement from the account.

2.1 (c) The commissioner of transportation has authority to approve or deny expenditures
2.2 of funds in the account.

2.3 Subd. 3. **Appropriation.** Income derived from the investment of principal in the
2.4 account is appropriated annually to the commissioner of transportation for the purposes
2.5 described in this section.

2.6 Subd. 4. **Financial compliance.** The commissioner of transportation shall ensure
2.7 that the account complies with the regulations in OMB circulars A87, Cost Principles for
2.8 State, Local and Indian Tribal Governments, and A122, Cost Principles for Non-Profit
2.9 Organizations, of the United States Office of Management and Budget (OMB).

2.10 Subd. 5. **Investment.** The State Board of Investment, in consultation with the
2.11 commissioner of transportation, shall invest money in the account under section 11A.24.

2.12 Subd. 6. **Demolition.** If the commissioner determines, in consultation with the
2.13 State Historic Preservation Office, that it is necessary to demolish the Stillwater lift
2.14 bridge, the principal in the account may be spent to pay for demolition of the bridge, and
2.15 is appropriated to the commissioner of transportation only for that purpose, except that
2.16 only funds originally contributed by the state or federal government can be used to pay
2.17 for demolition. Any money remaining in the account after demolition must be used to
2.18 pay for the preservation of other historic bridges in consultation with the State Historic
2.19 Preservation Office.

2.20 Subd. 7. **Audits.** The account is subject to audit by the legislative auditor.

2.21 Subd. 8. **Reports required.** The commissioner of transportation shall report
2.22 annually to the chair and ranking minority member of each legislative committee with
2.23 jurisdiction over transportation on the endowment account. At a minimum, the report
2.24 must include detailed revenue and expenditure information.