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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 1918

March 19, 2009

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

1.1 A bill for an act
1.2 relating to passenger rail; prescribing duties and powers of commissioner of
1.3 transportation; requiring report; proposing coding for new law in Minnesota
1.4 Statutes, chapter 174.

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

1.6 Section 1. [174.632] COMMISSIONER'S DUTIES.

1.7 The planning, design, development, construction, operation, and maintenance
1.8 of passenger rail track, facilities, and services are governmental functions, serve a
1.9 public purpose, and are a matter of public necessity. The commissioner is responsible
1.10 for all aspects of planning, designing, developing, constructing, equipping, operating,
1.11 and maintaining passenger rail, including system planning, alternatives analysis,
1.12 environmental studies, preliminary engineering, final design, construction, negotiating
1.13 with railroads, and developing financial and operating plans. The commissioner may
1.14 enter into a memorandum of understanding or agreement with a public or private entity,
1.15 including a regional railroad authority, a joint powers board, and a railroad, to carry out
1.16 these activities.

1.17 Sec. 2. [174.634] PASSENGER RAIL FUNDING.

1.18 The commissioner may apply for funding from federal, state, regional, local, and
1.19 private sources to carry out the commissioner's duties in section 174.632.

1.20 Sec. 3. [174.636] EXERCISE OF POWER; PASSENGER RAIL.

1.21 (a) The commissioner has all powers necessary to carry out the duties specified
1.22 in section 174.632. In the exercise of those powers, the commissioner may acquire by

2.1 purchase, gift, or by eminent domain proceedings as provided by law, all land and property
2.2 necessary to preserve future passenger rail corridors or to construct, maintain, and improve
2.3 passenger rail corridors, to let all necessary contracts as provided by law, and to make
2.4 agreements with and cooperate with any governmental authority or private entity to carry
2.5 out statutory duties related to passenger rail.

2.6 (b) The commissioner shall consult with metropolitan planning organizations and
2.7 regional rail authorities in areas where passenger rail corridors are under consideration
2.8 to ensure that passenger rail services are integrated with existing rail and transit services
2.9 and other transportation facilities to provide as nearly as possible connected, efficient,
2.10 and integrated services.

2.11 **Sec. 4. [174.638] FUNDING.**

2.12 Section 174.88 does not apply to the commissioner's performance of duties and
2.13 exercise of powers under sections 174.632 to 174.636.

2.14 **Sec. 5. PASSENGER RAIL REPORT.**

2.15 By February 1, 2010, the commissioner of transportation shall report to the chairs
2.16 and ranking minority members of the legislative committees with jurisdiction over
2.17 transportation policy and finance concerning the status of passenger rail in this state.
2.18 The report must be made electronically and made available in print only upon request.
2.19 The report must include a summary of the current status of passenger rail projects and
2.20 recommend:

2.21 (1) a public participation process for intercity passenger rail planning;

2.22 (2) appropriate participation and levels of review by local units of government;

2.23 (3) future sources of funding for capital costs and operations;

2.24 (4) definitions to distinguish passenger rail from commuter rail;

2.25 (5) legislative changes to facilitate and improve the passenger rail planning processes
2.26 and operation; and

2.27 (6) state operating subsidy mechanisms designed to create local tax equity between
2.28 communities served by passenger rail and communities served by commuter rail.