

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1382**

03/07/2013 Authored by Anzele  
The bill was read for the first time and referred to the Committee on Government Operations  
03/21/2013 Adoption of Report: Pass and Read Second Time  
04/02/2013 By motion, re-referred to the Committee on Taxes

1.1 A bill for an act  
1.2 relating to local government; authorizing municipalities to issue obligations  
1.3 without election for certain street improvements; amending Minnesota Statutes  
1.4 2012, section 475.58, subdivision 3b.

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

1.6 Section 1. Minnesota Statutes 2012, section 475.58, subdivision 3b, is amended to read:

1.7 Subd. 3b. **Street reconstruction and bituminous overlays.** (a) A municipality may,  
1.8 without regard to the election requirement under subdivision 1, issue and sell obligations  
1.9 for street reconstruction or bituminous overlays, if the following conditions are met:

1.10 (1) the streets are reconstructed or overlaid under a street reconstruction or overlay  
1.11 plan that describes the street reconstruction or overlay to be financed, the estimated costs,  
1.12 and any planned reconstruction or overlay of other streets in the municipality over the  
1.13 next five years, and the plan and issuance of the obligations has been approved by a vote  
1.14 of all of the members of the governing body present at the meeting following a public  
1.15 hearing for which notice has been published in the official newspaper at least ten days but  
1.16 not more than 28 days prior to the hearing; and

1.17 (2) if a petition requesting a vote on the issuance is signed by voters equal to  
1.18 five percent of the votes cast in the last municipal general election and is filed with the  
1.19 municipal clerk within 30 days of the public hearing, the municipality may issue the bonds  
1.20 only after obtaining the approval of a majority of the voters voting on the question of  
1.21 the issuance of the obligations.

1.22 (b) Obligations issued under this subdivision are subject to the debt limit of the  
1.23 municipality and are not excluded from net debt under section 475.51, subdivision 4.

2.1 (c) For purposes of this subdivision, street reconstruction and bituminous overlays  
2.2 includes utility replacement and relocation and other activities incidental to the street  
2.3 reconstruction, turn lanes and other improvements having a substantial public safety  
2.4 function, realignments, other modifications to intersect with state and county roads, and  
2.5 the local share of state and county road projects.

2.6 (d) Except in the case of turn lanes, safety improvements, realignments, intersection  
2.7 modifications, and the local share of state and county road projects, street reconstruction  
2.8 and bituminous overlays does not include the portion of project cost allocable to widening  
2.9 a street or adding curbs and gutters where none previously existed.