

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 1525**

(SENATE AUTHORS: CHAMPION)

DATE	D-PG	OFFICIAL STATUS
03/09/2015	610	Introduction and first reading Referred to Transportation and Public Safety
03/18/2015	922a	Comm report: To pass as amended and re-refer to Judiciary
03/23/2015	1066a	Comm report: To pass as amended
	1218	Second reading
	4868	Rule 47, returned to Judiciary
03/14/2016	4977a	Comm report: To pass as amended
	5016	Second reading

A bill for an act

1.1  
1.2 relating to transportation; modifying various provisions impacting or enforced  
1.3 by the Department of Transportation; making technical changes; amending  
1.4 Minnesota Statutes 2014, section 160.266, subdivisions 2, 3, by adding  
1.5 subdivisions.

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

1.7 Section 1. Minnesota Statutes 2014, section 160.266, subdivision 2, is amended to read:

1.8 Subd. 2. **Creation.** The commissioner, in cooperation with road and trail authorities  
1.9 including the commissioner of natural resources, shall identify ~~a bikeway that originates at~~  
1.10 ~~Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally parallels~~  
1.11 ~~the Mississippi River through the cities of Bemidji in Beltrami County, Grand Rapids in~~  
1.12 ~~Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County, Sauk~~  
1.13 ~~Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin County,~~  
1.14 ~~St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue County,~~  
1.15 ~~Wabasha in Wabasha County, Winona in Winona County, and La Crescent in Houston~~  
1.16 ~~County to Minnesota's boundary with Iowa and there terminates. Where opportunities~~  
1.17 ~~exist, the bikeway may be designated on both sides of the Mississippi River state bikeways.~~

1.18 Sec. 2. Minnesota Statutes 2014, section 160.266, subdivision 3, is amended to read:

1.19 Subd. 3. **Connections with other bikeways.** (a) The commissioner, in cooperation  
1.20 with road and trail authorities including the commissioner of natural resources, shall:

1.21 (1) identify existing bikeways of regional significance that are in reasonable proximity  
1.22 but not connected to the ~~bikeway~~ bikeways established in under this section, ~~including but~~  
1.23 ~~not limited to the Lake Wobegon Trail in the counties of Stearns and Todd; and~~

2.1 (2) support development of linkages between bikeways ~~identified under clause (1)~~  
 2.2 ~~and the bikeway established in~~ under this section.

2.3 (b) The requirements of this subdivision are a secondary priority for use of funds  
 2.4 available under this section following establishment and enhancement of the ~~bikeway~~  
 2.5 bikeways under subdivision 1 this section.

2.6 Sec. 3. Minnesota Statutes 2014, section 160.266, is amended by adding a subdivision  
 2.7 to read:

2.8 Subd. 6. **Mississippi River Trail.** The Mississippi River Trail bikeway shall  
 2.9 originate at Itasca State Park in Clearwater, Beltrami, and Hubbard Counties, then generally  
 2.10 parallel the Mississippi River through the cities of Bemidji in Beltrami County, Grand  
 2.11 Rapids in Itasca County, Brainerd in Crow Wing County, Little Falls in Morrison County,  
 2.12 Sauk Rapids in Benton County, St. Cloud in Stearns County, Minneapolis in Hennepin  
 2.13 County, St. Paul in Ramsey County, Hastings in Dakota County, Red Wing in Goodhue  
 2.14 County, Wabasha in Wabasha County, Winona in Winona County, and La Crescent  
 2.15 in Houston County to Minnesota's boundary with Iowa and there terminate. Where  
 2.16 opportunities exist, the bikeway may be designated on both sides of the Mississippi River.

2.17 Sec. 4. Minnesota Statutes 2014, section 160.266, is amended by adding a subdivision  
 2.18 to read:

2.19 Subd. 7. **James L. Oberstar Memorial Bikeway.** The James L. Oberstar Memorial  
 2.20 Bikeway shall originate in the city of St. Paul in Ramsey County, then proceed north  
 2.21 through the cities of North Branch in Chisago County, Hinckley in Pine County, Carlton in  
 2.22 Carlton County, Duluth in St. Louis County, Two Harbors in Lake County, and Grand  
 2.23 Marais in Cook County to Minnesota's boundary with Canada and there terminate.

2.24 Sec. 5. **ALTERNATIVE DAMAGES APPRAISAL; OFFICE OF**  
 2.25 **ADMINISTRATIVE HEARINGS.**

2.26 (a) In lieu of a commissioners' hearing for award of damages under Minnesota  
 2.27 Statutes, section 117.075, the commissioner of transportation is authorized to petition the  
 2.28 court for a referral to the Office of Administrative Hearings. The court may refer the  
 2.29 matter to the Office of Administrative Hearing only if all parties in the project, including  
 2.30 condemnees, consent to the referral. Upon referral to the Office of Administrative  
 2.31 Hearings by the court, an administrative law judge shall conduct a hearing for the purpose  
 2.32 of determining and awarding damages. The hearing must be conducted in a manner  
 2.33 consistent with the contested case procedures under Minnesota Statutes, chapter 14.

- 3.1 Minnesota Statutes, section 117.145, applies to an appeal of the administrative law judge's  
3.2 determination and award of damages.
- 3.3 (b) The commissioner of transportation may petition for a referral under paragraph  
3.4 (a) for up to five transportation projects.
- 3.5 (c) This section expires June 30, 2018.