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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2631**

03/01/2012 Authored by Shimanski and Beard

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

03/07/2012 Adoption of Report: 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; providing contingent appropriations for county  
1.3 state-aid highways and municipal state-aid streets, construction support, and  
1.4 finance operations; appropriating money; proposing coding for new law in  
1.5 Minnesota Statutes, chapter 162.

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

1.7 Section 1. **[162.175] CONTINGENT APPROPRIATION TO FUND COUNTY**  
1.8 **STATE AIDS AND MUNICIPAL STATE AIDS.**

1.9 **Subdivision 1. Appropriation for county state aids.** If, on June 30 of an  
1.10 odd-numbered year, legislation has not been enacted to appropriate money to the  
1.11 commissioner of transportation for county state aids in the next fiscal year, on July 1, an  
1.12 amount sufficient to pay the costs described in this subdivision is appropriated from the  
1.13 county state-aid highway fund under sections 161.082 to 161.085, and chapter 162, to  
1.14 the commissioner of transportation. The appropriation is to pay costs of construction  
1.15 on a county state-aid highway or other eligible road that are payable from the county's  
1.16 apportionment or allocation, based on prior project approval by the commissioner, reports  
1.17 by the county engineer to the commissioner, and certification by the commissioner of  
1.18 the amount payable to the commissioner of management and budget. In no event shall  
1.19 payments to a county exceed the amount apportioned and allocated to the county.

1.20 **Subd. 2. Appropriation for municipal state aids.** If, on June 30 of an  
1.21 odd-numbered year, legislation has not been enacted to appropriate money to the  
1.22 commissioner of transportation for municipal state aids in the next fiscal year, on July 1,  
1.23 an amount sufficient to pay the costs described in this subdivision is appropriated from the  
1.24 municipal state-aid street fund under chapter 162, to the commissioner of transportation.  
1.25 The appropriation is to pay costs of construction work on a municipal state-aid street

2.1 or other eligible road that are payable from the city's apportionment, based on prior  
2.2 project approval by the commissioner, reports by the city engineer to the commissioner  
2.3 of transportation, and certification by the commissioner of the amount payable to the  
2.4 commissioner of management and budget. In no event shall payments to a city exceed the  
2.5 amount apportioned to the city.

2.6 Subd. 3. **Appropriation for construction support.** If an appropriation is made  
2.7 under subdivision 1 or 2, the appropriation must be sufficient to pay both the construction  
2.8 costs described in subdivisions 1 and 2 and the costs of Department of Transportation  
2.9 employees whose work is essential to the county or city construction projects including,  
2.10 but not limited to, construction support, approval of plans, review of preliminary design  
2.11 documents, and project inspection.

2.12 Subd. 4. **Continued operations.** If, by July 1 of an odd-numbered year, legislation  
2.13 has not been enacted to appropriate money for the next biennium to the commissioner  
2.14 of management and budget for issuance of warrants to the county or city officers under  
2.15 subdivision 1 or 2, central accounting, procurement, payroll, and human resources  
2.16 functions, amounts necessary to operate those functions stated in subdivisions 1 to 3  
2.17 are appropriated for the next biennium from the general fund to the commissioner of  
2.18 management and budget. As necessary, the commissioner may transfer a portion of this  
2.19 appropriation to other state agencies to support carrying out these functions.

2.20 Subd. 5. **Effect of subsequent appropriation.** Any subsequent enacted  
2.21 appropriation for the purposes stated in this section to the commissioner of transportation  
2.22 or to the commissioner of management and budget for a biennium in which this section  
2.23 has been applied shall supersede and replace the funding authorized in this section.