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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1865

02/25/2014 Authored by Dorholt

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

03/13/2014 Adoption of Report: Re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to state government; modifying laws governing certain Department of
1.3 Transportation advisory groups; proposing coding for new law in Minnesota
1.4 Statutes, chapter 162; repealing Minnesota Statutes 2012, sections 162.02,
1.5 subdivisions 2, 3; 162.09, subdivisions 2, 3; 174.86, subdivision 5.

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

1.7 Section 1. **[162.152] RULES; ADVISORY COMMITTEE.**

1.8 Subdivision 1. **Advisory committee membership.** The rules referenced in sections
1.9 162.02, subdivision 1, and 162.09, subdivision 1, shall be made and promulgated by the
1.10 commissioner acting with the advice of a committee selected as follows:

1.11 (1) nine members must be selected by the county boards acting through the officers
1.12 of the statewide association of county commissioners. The committee members shall be
1.13 selected so that each member is from a different state highway construction district. Not
1.14 more than five of the nine members shall be county commissioners, and the remaining
1.15 members shall be county highway engineers; and

1.16 (2) 12 members must be selected by the governing bodies of cities, acting through
1.17 the officers of the statewide association of municipal officials. The committee members
1.18 shall be selected so that there is one member from each state highway construction district
1.19 and one member from each city of the first class. Not more than six of the 12 members
1.20 shall be elected officials of the cities, and the remaining members shall be city engineers.

1.21 Subd. 2. **Commissioner's determination.** If agreement cannot be reached on a
1.22 rule, the commissioner's determination on what rule will be proposed for adoption is final.

1.23 Subd. 3. **Rules have force of law.** The rules have the force and effect of law as
1.24 provided in chapter 14.

1.25 Subd. 4. **No expiration.** The committee created in this section does not expire.

2.1 Sec. 2. **REPEALER.**

2.2 Minnesota Statutes 2012, sections 162.02, subdivisions 2 and 3; 162.09, subdivisions
2.3 2 and 3; and 174.86, subdivision 5, are repealed.

162.02 COUNTY STATE-AID HIGHWAY SYSTEM.

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the several county boards acting through the officers of the statewide association of county commissioners. The committee shall be composed of nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of the committee shall be county commissioners. The remaining members shall be county highway engineers. In the event that agreement cannot be reached on any rule, the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the county engineers of the several counties.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Subd. 3. **Rules have force of law.** The rules have the force and effect of law as provided in chapter 14.

162.09 MUNICIPAL STATE-AID STREET SYSTEM.

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the governing bodies of such cities, acting through the officers of the statewide association of municipal officials. The committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of the committee shall be elected officials of the cities. The remaining members of the committee shall be city engineers. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the clerks and engineers of the cities.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Subd. 3. **Rules have force of law.** The rules have the force and effect of law as provided in chapter 14.

174.86 COMMUTER RAIL PLAN; REVIEW.

Subd. 5. **Commuter Rail Corridor Coordinating Committee.** (a) A Commuter Rail Corridor Coordinating Committee is established to advise the commissioner on issues relating to the alternatives analysis, environmental review, advanced corridor planning, preliminary engineering, final design, implementation method, construction of commuter rail, public involvement, land use, service, and safety. The Commuter Rail Corridor Coordinating Committee shall consist of:

(1) one member representing each significant funding partner in whose jurisdiction the line or lines are located;

(2) one member appointed by each county in which the corridors are located;

(3) one member appointed by each city in which advanced corridor plans indicate that a station may be located;

(4) two members appointed by the commissioner, one of whom shall be designated by the commissioner as the chair of the committee;

(5) one member appointed by each metropolitan planning organization through which the commuter rail line may pass;

(6) one member appointed by the president of the University of Minnesota, if a designated corridor provides direct service to the university; and

(7) two ex-officio members who are members of labor organizations operating in, and with authority for, trains or rail yards or stations junctioning with freight and commuter rail lines on corridors, with one member appointed by the speaker of the house and the other member appointed by the senate Rules and Administration Subcommittee on Committees.

(b) A joint powers board existing on April 1, 1999, consisting of local governments along a commuter rail corridor, shall perform the functions set forth in paragraph (a) in place of the committee.

(c) Notwithstanding section 15.059, subdivision 5, the committee does not expire.