

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 3961**

(SENATE AUTHORS: MCEWEN and Dibble)

**DATE**  
02/19/2024

**D-PG**  
11654 Introduction and first reading  
Referred to Transportation  
See HF3436

**OFFICIAL STATUS**

1.1 A bill for an act  
1.2 relating to transportation; authorizing commissioner of transportation to convey  
1.3 property for and promote the use of passenger rail services; amending Minnesota  
1.4 Statutes 2022, sections 174.632, subdivision 2; 174.636, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2022, section 174.632, subdivision 2, is amended to read:

1.7 Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation,  
1.8 and maintenance of passenger rail track, facilities, and services are governmental functions,  
1.9 serve a public purpose, and are a matter of public necessity.

1.10 (b) The commissioner is responsible for all aspects of planning, designing, developing,  
1.11 constructing, equipping, operating, promoting, and maintaining passenger rail, including  
1.12 system planning, alternatives analysis, environmental studies, preliminary engineering, final  
1.13 design, construction, negotiating with railroads, and developing financial and operating  
1.14 plans.

1.15 (c) The commissioner may enter into a memorandum of understanding or agreement  
1.16 with a public or private entity, including Amtrak, a regional railroad authority, a joint powers  
1.17 board, and a railroad, to carry out these activities.

1.18 Sec. 2. Minnesota Statutes 2022, section 174.636, subdivision 1, is amended to read:

1.19 Subdivision 1. **Powers.** The commissioner has all powers necessary to carry out the  
1.20 duties specified in section 174.632. In the exercise of those powers, the commissioner may:

2.1 (1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all  
2.2 land and property necessary to preserve future passenger rail corridors or to construct,  
2.3 maintain, and improve passenger rail corridors;

2.4 (2) dispose of land and property as necessary to construct, maintain, and improve  
2.5 passenger rail corridors. Notwithstanding any statutory or common law to the contrary, the  
2.6 commissioner may dispose of land and property acquired under clause (1) or otherwise for  
2.7 the construction, maintenance, and improvement of passenger rail corridors, whether acquired  
2.8 by purchase, gift, or by eminent domain proceedings as provided by law, through conveyance  
2.9 directly to a railroad company if the commissioner determines such disposition to a railroad  
2.10 company is necessary for the construction, maintenance, and improvement of a passenger  
2.11 rail corridor. Consideration for disposition of land and property under this clause must be  
2.12 fair market value of the conveyed land and property;

2.13 (3) conduct and engage in promotional and marketing research, campaigns, outreach,  
2.14 and other activities to increase awareness, education, and ridership of passenger rail in  
2.15 Minnesota;

2.16 ~~(2)~~ (4) let all necessary contracts as provided by law; and

2.17 ~~(3)~~ (5) make agreements with and cooperate with any public or private entity, including  
2.18 Amtrak, to carry out statutory duties related to passenger rail.