

CHAPTER 289—H.F.No. 3493

An act relating to state government finance; disaster relief appropriations; providing for reimbursement to the state under certain conditions; amending Laws 2007, First Special Session chapter 2, article 1, sections 2; 4, subdivision 4.

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

Section 1. Laws 2007, First Special Session chapter 2, article 1, section 2, is amended to read:

Sec. 2. FLOOD RELIEF APPROPRIATIONS.

Subdivision 1. **Appropriations.** The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund to be spent to acquire and to better publicly owned land and buildings and other public improvements of a capital nature, and from other named funds, for relief as specified in this article from the flooding that occurred on or after August 18, 2007, in the area of Southeast Minnesota designated under Presidential Declaration of Major Disaster, DR-1717, whether included in the original declaration or added later by federal government action, referred to in this article as "the area included in DR-1717." The appropriations are for fiscal year 2008, except that appropriations of bond proceeds or for capital improvements are available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642. If there is a shortage of money for a program or project funded in this article, or in the money available for state and local match under Minnesota Statutes, section 12.221, unused general fund money appropriated for any other program or project in this article may be transferred by an interagency agreement approved by the commissioner of finance to cover the shortfall. The commissioner shall report the transfers to the chairs of the senate finance and house of representatives ways and means committees. The appropriations in this article are one time.

Subd. 2. **Repayment.** (a) Notwithstanding Minnesota Statutes, section 161.04, subdivision 1, a state agency that receives emergency federal money for a project funded in this article must credit the federal money to the fund from which the agency received an appropriation for that project, in an amount equal to the federal money, up to the amount of the appropriation in this article. The commissioner of finance may approve other methods for repaying state money with federal emergency money.

(b) A local government that receives federal money for a project funded in this article must repay to the state an amount equal to the federal money, up to the amount of the state grant used for that project. The repayment must be credited to the fund from which the local government received the appropriation for that project in this article.

(c) A local government or state agency that receives federal money from the Federal Emergency Management Agency (FEMA) for a project funded in this article must repay to the state any state money received for that project that is in excess of the FEMA and state match money granted to it by the Homeland Security and Emergency Management

Division of the Department of Public Safety. The repayment must be credited to the fund from which the local government or state agency received the appropriation for that project in this article.

Sec. 2. Laws 2007, First Special Session chapter 2, article 1, section 4, subdivision 4, is amended to read:

Subd. 4. Local Road and Bridge Rehabilitation and Replacement

26,000,000

From the state transportation fund, as provided in Minnesota Statutes, section 174.50, for grants to local governments for capital costs related to rehabilitation and replacement of local roads and bridges damaged or destroyed by flooding in the area included in DR-1717.

A grantee must submit to the commissioner of transportation final plans for each project before grant money may be released for the project. The commissioner shall determine project priorities, review project plans in light of those priorities, and, if necessary, require changes to the plans to ensure the most prudent use of limited state resources. If a local government receives federal money for a project funded under this section, the local government must repay to the state, for deposit in the state transportation fund, an amount equal to the federal funding, up to the amount of the state grant.

For grants under this subdivision, the requirements of Minnesota Statutes, section 174.50, subdivisions 5, 6, 6a, and 7, are waived.

A local government or state agency that receives federal money from the Federal Emergency Management Agency (FEMA) for a project funded in this article must repay to the state any state money received for that project that is in excess of the FEMA and state match money granted to it by the Homeland Security and Emergency Management Division of the Department of Public Safety. The repayment must be credited to the fund from which the local government or state agency received the appropriation for that project in this article.

Presented to the governor May 8, 2008

Signed by the governor May 12, 2008, 1:05 p.m.