

This Document can be made available  
in alternative formats upon request

State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH SESSION

**H. F. No. 920**

02/16/2015 Authored by Drazkowski, Davids and Pugh

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

04/07/2015 Adoption of Report: Amended and re-referred to the Committee on Taxes

1.1 A bill for an act  
1.2 relating to transportation; mass transit; restricting expenditures and other powers  
1.3 related to certain rail projects; proposing coding for new law in Minnesota  
1.4 Statutes, chapters 16A; 16B; 117; 459; 473.

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

1.6 Section 1. **[16A.1246] NO SPENDING FOR CERTAIN RAIL PROJECTS.**

1.7 (a) Except as provided in paragraph (b), no appropriation or other state money,  
1.8 whether in the general or another fund, must be expended or used for any costs related  
1.9 to studying the feasibility of, planning for, designing, engineering, acquiring property  
1.10 or constructing facilities for or related to, or development or operation of intercity or  
1.11 interregional passenger rail facilities or operations between the city of Rochester or  
1.12 locations in its metropolitan area and any location in the metropolitan area, as defined in  
1.13 section 473.121, subdivision 2.

1.14 (b) The restrictions under this section do not apply to funds obtained from  
1.15 contributions, grants, or other voluntary payments made by nongovernmental entities  
1.16 from private sources.

1.17 **EFFECTIVE DATE.** This section is effective the day following final enactment,  
1.18 except it does not apply to funds appropriated under Laws 2009, chapter 93, article 1,  
1.19 section 11, subdivision 5.

1.20 Sec. 2. **[16B.2965] PROPERTY LEASED FOR RAIL PROJECTS.**

1.21 If a state official leases, loans, or otherwise makes available state lands, air rights, or  
1.22 any other state property for use in connection with passenger rail facilities, as described  
1.23 in section 16A.1246, the lease or other agreement must include or be secured by a

2.1 security bond or equivalent guarantee that allows the state to recover any costs it incurs  
2.2 in connection with the rail project from a responsible third party or secure source of  
2.3 capital, if the passenger rail facilities are not constructed, are abandoned, or do not go into  
2.4 operation. These costs include restoring state property to its original condition.

2.5 (b) For purposes of this section, "state official" includes the commissioner, the  
2.6 commissioner of transportation, or any other state official with authority to enter a lease or  
2.7 other agreement providing for use by a nonstate entity of state property.

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.9 **Sec. 3. [117.028] CONDEMNATION FOR CERTAIN RAIL FACILITIES**  
2.10 **PROHIBITED.**

2.11 Notwithstanding section 222.27, or any other law to the contrary, no condemning  
2.12 authority may take property for the development or construction of or for facilities related  
2.13 to intercity or interregional passenger rail facilities or operations between the city of  
2.14 Rochester or locations in its metropolitan area and any location in the metropolitan area,  
2.15 as defined in section 473.121, subdivision 2.

2.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.17 **Sec. 4. [459.36] NO SPENDING OF PUBLIC MONEY FOR CERTAIN RAIL**  
2.18 **PROJECTS.**

2.19 (a) Except as provided in paragraph (b), no city, county, or destination medical  
2.20 center entity may spend or use any money, for any costs related to studying the feasibility  
2.21 of, planning for, designing, engineering, acquiring property or constructing facilities for or  
2.22 related to, or development or operation of intercity or interregional passenger rail facilities  
2.23 or operations between the city of Rochester or locations in its metropolitan area and  
2.24 any location in the metropolitan area, as defined in section 473.121, subdivision 2. The  
2.25 provisions of this section apply to the statutory and home rule charter cities and counties  
2.26 located in development regions 10 and 11, as designated under section 462.385, subdivision  
2.27 1. Destination medical center entity includes the Destination Medical Center Corporation  
2.28 and agency as those terms are defined in section 469.40, and any successor or related entity.

2.29 (b) The restrictions under this section do not apply to funds the city or county  
2.30 obtains from contributions, grants, or other voluntary payments made by nongovernmental  
2.31 entities from private sources.

2.32 **EFFECTIVE DATE.** This section is effective the day following final enactment  
2.33 without local approval under Minnesota Statutes, section 645.023, subdivision 1, clause (c).

3.1        **Sec. 5. [473.1467] NO SPENDING FOR CERTAIN RAIL PROJECTS.**

3.2            (a) Except as provided in paragraph (b), the council must not spend or use any money  
3.3 for any costs related to studying the feasibility of, planning for, designing, engineering,  
3.4 acquiring property or constructing facilities for or related to, or development or operation  
3.5 of intercity or interregional passenger rail facilities or operations between the city of  
3.6 Rochester or locations in its metropolitan area and any location in the metropolitan area.

3.7            (b) The restrictions under this section do not apply to funds the council obtains from  
3.8 contributions, grants, or other voluntary payments made by nongovernmental entities  
3.9 from private sources.

3.10           **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
3.11 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
3.12 and Washington.