

(SENATE AUTHORS: VANDEVEER, Chamberlain and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/14/2011	239	Introduction and first reading Referred to Transportation
02/17/2011	263	Author added Hoffman

1.1A bill for an act

1.2relating to highways; prohibiting toll roads; making conforming changes;

1.3amending Minnesota Statutes 2010, sections 117.226; 160.93, subdivision 3;

1.4proposing coding for new law in Minnesota Statutes, chapter 160; repealing

1.5Minnesota Statutes 2010, sections 160.84; 160.85; 160.86; 160.87; 160.88;

1.6160.89; 160.90; 160.91; 160.92.

1.7BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8Section 1. Minnesota Statutes 2010, section 117.226, is amended to read:

1.9117.226 RIGHT OF FIRST REFUSAL.

1.10(a) Except as provided in sections 15.16, ~~160.85~~, 161.16, 161.20, 161.202, 161.23,

1.11161.24, 161.241, 161.43, 161.46, and 222.63, if the governing body of the condemning

1.12authority determines that publicly owned property acquired under this chapter has not

1.13been used and is no longer needed for a public use, the authority must offer to sell the

1.14property to the owner from whom it was acquired, if the former owner can be located. The

1.15offer must be at the original price determined by the condemnation process or the current

1.16fair market value of the property, whichever is lower, except to the extent that a different

1.17value is required for a property interest obtained with federal highway funding under

1.18United States Code, title 23, or transit funding under United States Code, title 49. Before

1.19offering surplus property to local governments or for public sale under section 16B.282

1.20or 94.10, the commissioner of administration or natural resources must offer to sell the

1.21property to the former owner as provided in this section.

1.22(b) If the former owner cannot be located after a due and diligent search or declines

1.23to repurchase the property, the attorney for the condemning authority shall prepare a

1.24certificate attesting to the same and record the certificate in the office of the county

1.25recorder or county registrar of titles, as appropriate, to evidence the termination of the

S.F. No. 307, as introduced - 87th Legislative Session (2011-2012) [11-1599]

2.1 right of first refusal. A recorded certificate to that effect is prima facie evidence that the
2.2 right of first refusal has terminated.

2.3 Sec. 2. Minnesota Statutes 2010, section 160.93, subdivision 3, is amended to read:

2.4 Subd. 3. **Rules exemption.** With respect to this section, the commissioner is exempt
2.5 from statutory rulemaking requirements, including section 14.386, and from sections
2.6 ~~160.84 to 160.92~~ and 161.162 to 161.167.

2.7 Sec. 3. **[160.841] TOLL FACILITIES PROHIBITED.**

2.8 Neither the commissioner nor a road authority may impose or authorize the
2.9 imposition of a toll for the use of a highway or highway lane, except for a highway or
2.10 highway lane having a toll imposed on or before July 1, 2006, under section 160.93.

2.11 Sec. 4. **REPEALER.**

2.12 Minnesota Statutes 2010, sections 160.84; 160.85; 160.86; 160.87; 160.88; 160.89;
2.13 160.90; 160.91; and 160.92, are repealed.