

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3244

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DATE	D-PG	OFFICIAL STATUS
03/24/2016	5263	Introduction and first reading Referred to Transportation and Public Safety
03/31/2016	5397	Comm report: To pass and re-referred to State and Local Government
04/04/2016	5476a	Comm report: To pass as amended and re-refer to Rules and Administration
04/07/2016	5734	Author stricken Senjem
04/14/2016	5807a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to transportation; establishing an advisory working group to observe
 1.3 and report on development of a passenger rail project between Rochester and
 1.4 the Twin Cities.

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

1.6 Section 1. **ESTABLISHMENT OF HIGH-SPEED RAIL PROJECT ADVISORY**
 1.7 **WORKING GROUP.**

1.8 Subdivision 1. **Definition.** For the purposes of this section, "project" means the
 1.9 planning, design, engineering, and construction, including environmental processes, land
 1.10 acquisition, and federal agency interaction, of a potential privately financed passenger
 1.11 high-speed rail line between the city of Rochester and a location in the Minneapolis-St.
 1.12 Paul metropolitan area.

1.13 Subd. 2. **Purpose.** The high-speed rail project advisory working group is
 1.14 established to examine issues related to the potential development of the project to ensure
 1.15 affected landowners, area residents, and other stakeholders have the opportunity to engage
 1.16 in public discussion related to various aspects of high-speed rail generally and specific
 1.17 elements of the potential project, and so that:

1.18 (1) adequate public engagement opportunities are offered at a range of locations
 1.19 along the project corridor and through various means of communication; and

1.20 (2) considerations related to taxpayer protections, landowner rights, potential
 1.21 development processes, and associated contracts and agreements adequately manage risks
 1.22 to the state and the public, including but not limited to risks associated with the project's
 1.23 finances, right-of-way acquisition, environmental processes, and construction impacts.

- 2.1 Subd. 3. **Advisory working group membership.** (a) The high-speed rail project
2.2 advisory working group consists of 29 members, all of whom are voting members as
2.3 follows:
- 2.4 (1) two senators, including one senator appointed by the senate majority leader and
2.5 one senator appointed by the senate minority leader;
- 2.6 (2) two members of the house of representatives, one from the majority party and
2.7 one from the minority party, appointed by the speaker of the house;
- 2.8 (3) the commissioner of transportation or the commissioner's designee;
2.9 (4) the commissioner of public safety or the commissioner's designee;
- 2.10 (5) two members who reside in the county of Dakota appointed by the Dakota
2.11 County Board, one of whom is employed in county government and one of whom is a
2.12 public member;
- 2.13 (6) two members who reside in the county of Goodhue appointed by the Goodhue
2.14 County Board, one of whom is employed in county government and one of whom is a
2.15 public member;
- 2.16 (7) two members who reside in the county of Hennepin appointed by the Hennepin
2.17 County Board, one of whom is employed in county government and one of whom is a
2.18 public member;
- 2.19 (8) two members who reside in the county of Olmsted appointed by the Olmsted
2.20 County Board, one of whom is employed in county government and one of whom is a
2.21 public member;
- 2.22 (9) one person who resides in each of the cities of Bloomington, Cannon Falls,
2.23 Coates, Hampton, Inver Grove Heights, Mendota Heights, Oronoco, Pine Island,
2.24 Rochester, Rosemount, and Zumbrota, appointed by the mayor of each city;
- 2.25 (10) one person who is an expert on rail transportation appointed by the governor;
2.26 (11) one person who represents an exclusive representative under Minnesota
2.27 Statutes, chapter 179 or 179A, appointed by the governor;
- 2.28 (12) one person who is appointed by the high-speed rail developer who provides
2.29 funding to the working group or who seeks a permit to develop high-speed rail along the
2.30 high-speed rail line; and
- 2.31 (13) one member who represents the University of Minnesota appointed by the
2.32 executive director of the Center for Transportation Studies.
- 2.33 (b) Members serve until the working group expires or until replaced as provided in
2.34 paragraph (c).
- 2.35 (c) The removal of members and the filling of vacancies shall be as provided in
2.36 Minnesota Statutes, section 15.059, subdivision 4.

3.1 (d) The advisory working group must elect from among its members a chair, and
3.2 may elect a cochair and any other officers the advisory working group determines are
3.3 necessary or convenient.

3.4 Subd. 4. **Notices.** (a) The commissioner of transportation must notify the executive
3.5 director of the University of Minnesota Center for Transportation Studies that a request
3.6 to extend an existing permit or an application for a new permit for use of right-of-way
3.7 to construct a project has been received. The commissioner must provide this notice
3.8 within 15 days of receiving the request.

3.9 (b) Within 15 days of receiving notice from the commissioner of transportation, the
3.10 executive director of the Center for Transportation Studies must notify all appointing
3.11 authorities of a deadline to make initial appointments. The notice from the executive
3.12 director must set a deadline for initial appointments that is between 45 and 60 days from
3.13 the date the executive director receives notice from the commissioner of transportation.

3.14 Subd. 5. **First appointments; first meeting.** Appointing authorities must make
3.15 initial appointments by the deadline set by the executive director of the Center for
3.16 Transportation Studies. The executive director of the University of Minnesota Center for
3.17 Transportation Studies must convene the first meeting of the advisory working group
3.18 within 30 days after the deadline for appointments.

3.19 Subd. 6. **Duties.** The advisory working group must examine and report to the chairs
3.20 and ranking minority members of the committees in the house of representatives and the
3.21 senate with jurisdiction over transportation annually by February 1 concerning its activities
3.22 and developments regarding the potential project, its findings, and recommendations.
3.23 Items the advisory working group must report on include public engagement processes,
3.24 land acquisition activities, and relevant contracts and agreements and the adequacy of each
3.25 to protect the public from risks associated with the project.

3.26 Subd. 7. **Authorization.** The advisory working group may solicit gifts, grants, or
3.27 donations of any kind from any private source to carry out the purposes of this section,
3.28 except that the advisory working group may not solicit or accept gifts, grants, or donations
3.29 from an unnamed source or from an attorney on behalf of an unnamed source. The
3.30 commissioner of transportation must publish a list of all gifts, grants, or donations
3.31 received by the working group, including the identity of the source and the amount of
3.32 each contribution. All gifts, grants, or donations received by the advisory working group
3.33 must be deposited in a high-speed rail project account, which is established in the special
3.34 revenue fund. Money in the account is appropriated to the commissioner of transportation
3.35 for a grant to the University of Minnesota Center for Transportation Studies to support
3.36 the activities of the advisory working group. When the advisory working group expires

4.1 under subdivision 13, the commissioner of management and budget must transfer any
4.2 money remaining in the account to the private and public sources that provided the gift,
4.3 grant, or donation.

4.4 Subd. 8. **Compensation.** The executive director of the University of Minnesota
4.5 Center for Transportation Studies may compensate public members of the advisory
4.6 working group and may reimburse members of the working group for expenses incurred in
4.7 participating in the working group. Compensation and reimbursements must be made from
4.8 the grant funds received by the Center for Transportation Studies under subdivision 7.

4.9 Subd. 9. **Administrative support.** The University of Minnesota Center for
4.10 Transportation Studies must provide meeting space, administrative support, and staff
4.11 support for the advisory working group. The working group shall strive to meet at
4.12 locations along the corridor that facilitate public engagement and participation.

4.13 Subd. 10. **Open Meeting Law.** Meetings of the advisory working group are
4.14 subject to Minnesota Statutes, chapter 13D. The executive director for the Center for
4.15 Transportation Studies shall post meeting minutes and related meeting materials on a
4.16 publicly accessible Web site that permits public engagement and comment.

4.17 Subd. 11. **Funding.** The costs of the advisory working group must be paid entirely
4.18 by nonstate sources that are deposited in the high-speed rail project account in the special
4.19 revenue fund.

4.20 Subd. 12. **Sunset.** This section expires June 30, 2020, or when the project
4.21 commences revenue operation or is abandoned, whichever occurs first.

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