

CHAPTER 162

STATE-AID SYSTEM

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162.02 COUNTY STATE-AID HIGHWAY SYSTEM.

[For text of subs 1 to 7, see M.S.1996]

Subd. 7a. **Prohibition against certain designations.** Notwithstanding Laws 1997, chapter 238, section 3, a county must follow the procedures established in chapter 162 for the establishment and designation of a county state-aid highway.

[For text of subs 8 to 12, see M.S.1996]

History: 1997 c 238 s 1

162.06 ACCRUALS TO COUNTY STATE-AID HIGHWAY FUND; ACCOUNTS.

[For text of subs 1 to 5, see M.S.1996]

Subd. 6. **County state-aid highway revolving loan account.** A county state-aid highway revolving loan account is created in the county state-aid highway fund. The commissioner may transfer to the account the amount allocated under section 162.065. Money in the account may be used to make loans. Funds in the county state-aid highway revolving loan account may be used only for aid in the construction, improvement, and maintenance of county state-aid highways. Funds in the account may not be used for any toll facilities project or congestion-pricing project. Repayments and interest from loans from the county state-aid highway revolving loan account must be credited to that account. Money in the account is annually appropriated to the commissioner and does not lapse. Interest earned from investment of money in this account must be deposited in the county state-aid highway revolving loan account.

History: 1997 c 141 s 2

NOTE: Subdivision 6, as added by Laws 1997, chapter 141, section 2, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this subdivision may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.065 ALLOCATING MATCHING FUNDS FOR CSAH REVOLVING LOAN ACCOUNT.

The screening board appointed under section 162.07, subdivision 5, may recommend to the commissioner that the commissioner allocate a portion of county state-aid highway funds to the county state-aid highway revolving loan account. The commissioner may allocate no more than the amount recommended by the screening board.

History: 1997 c 141 s 3

NOTE: This section, as added by Laws 1997, chapter 141, section 3, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this section may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.07 APPORTIONMENT OF MONEY TO COUNTIES.

Subdivision 1. **Formula.** After deducting for administrative costs and for the disaster account and research account and state park roads as heretofore provided, and for any alloca-

tion made under section 162.065, the remainder of the total sum provided for in section 162.06, subdivision 1, shall be identified as the apportionment sum and shall be apportioned by the commissioner to the several counties on the basis of the needs of the counties as determined in accordance with the following formula:

(1) An amount equal to ten percent of the apportionment sum shall be apportioned equally among the 87 counties.

(2) An amount equal to ten percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its motor vehicle registration for the calendar year preceding the one last past, determined by residence of registrants, bears to the total statewide motor vehicle registration.

(3) An amount equal to 30 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its total lane-miles of approved county state-aid highways bears to the total lane-miles of approved statewide county state-aid highways. In 1997 and subsequent years no county may receive, as a result of an apportionment under this clause based on lane-miles rather than miles of approved county state-aid highways, an apportionment that is less than its apportionment in 1996.

(4) An amount equal to 50 percent of the apportionment sum shall be apportioned among the several counties so that each county shall receive of such amount the percentage that its money needs bears to the sum of the money needs of all of the individual counties; provided, that the percentage of such amount that each county is to receive shall be adjusted so that each county shall receive in 1958 a total apportionment at least ten percent greater than its total 1956 apportionments from the state road and bridge fund; and provided further that those counties whose money needs are thus adjusted shall never receive a percentage of the apportionment sum less than the percentage that such county received in 1958.

[For text of subs 2 to 6, see M.S.1996]

History: 1997 c 141 s 4

NOTE: The amendment to subdivision 1 by Laws 1997, chapter 141, section 4, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this subdivision may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.09 MUNICIPAL STATE-AID STREET SYSTEM.

[For text of subs 1 to 3a, see M.S.1996]

Subd. 4. Federal census to be conclusive. (a) In determining whether any city has a population of 5,000 or more, the last federal census shall be conclusive, except as otherwise provided in this subdivision.

(b) A city that has previously been classified as having a population of 5,000 or more for the purposes of chapter 162 and whose population decreases by less than 15 percent from the census figure that last qualified the city for inclusion shall receive the following percentages of its 1981 apportionment for the years indicated: 1982, 66 percent and 1983, 33 percent. Thereafter the city shall not receive any apportionment from the municipal state-aid street fund unless its population is determined to be 5,000 or over by a federal census. The governing body of the city may contract with the United States Bureau of the Census to take one special census before January 1, 1986. A certified copy of the results of the census shall be filed with the appropriate state authorities by the city. The result of the census shall be the population of the city for the purposes of any law providing that population is a required qualification for distribution of highway aids under chapter 162. The special census shall remain in effect until the 1990 federal census is completed and filed. The expense of taking the special census shall be paid by the city.

(c) If an entire area not heretofore incorporated as a city is incorporated as such during the interval between federal censuses, its population shall be determined by its incorporation census. The incorporation census shall be determinative of the population of the city only until the next federal census.

(d) The population of a city created by the consolidation of two or more previously incorporated cities shall be determined by the most recent population estimate of the metropolitan council or state demographer, until the first federal decennial census or special census taken after the consolidation.

(e) The population of a city that is not receiving a municipal state-aid street fund apportionment shall be determined, upon request of the city, by the most recent population estimate of the metropolitan council or state demographer. A municipal state-aid street fund apportionment received by the city must be based on this population estimate until the next federal decennial census or special census.

[For text of subs 5 to 10, see M.S.1996]

History: 1997 c 159 art 2 s 8

162.12 ACCRUALS TO MUNICIPAL STATE-AID STREET FUND; ACCOUNTS.

[For text of subs 1 to 4, see M.S.1996]

Subd. 5. Municipal state-aid street revolving loan account. A municipal state-aid street revolving loan account is created in the municipal state-aid street fund. The commissioner may transfer to the account the amount allocated under section 162.125. Money in the account may be used to make loans. Funds in the municipal state-aid street revolving loan account may be used only for aid in the construction, improvement, and maintenance of municipal state-aid streets. Funds in the account may not be used for any toll facilities project or congestion-pricing project. Repayments and interest from loans from the municipal state-aid street revolving loan account must be credited to that account. Money in the account is annually appropriated to the commissioner and does not lapse. Interest earned from investment of money in this account must be deposited in the municipal state-aid street revolving loan account.

History: 1997 c 141 s 5

NOTE: Subdivision 5, as added by Laws 1997, chapter 141, section 5, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this subdivision may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.125 ALLOCATING MATCHING FUNDS FOR MSAS REVOLVING LOAN ACCOUNT.

The screening board appointed under section 162.13, subdivision 3, may recommend to the commissioner that the commissioner allocate a portion of municipal state-aid street funds to the municipal state-aid street revolving loan account. The commissioner may allocate no more than the amount recommended by the screening board.

History: 1997 c 141 s 6

NOTE: This section, as added by Laws 1997, chapter 141, section 6, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this section may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.13 FORMULA FOR APPORTIONMENT TO CITIES.

Subdivision 1. Factors in formula. After deducting for administrative costs and for the disaster fund and research account as heretofore provided, and for any allocation made under section 162.125, the remainder of the total sum provided for in subdivision 1 of section 162.12 shall be identified as the apportionment sum, and shall be apportioned by the commissioner to the cities having a population of 5,000 or more, in accordance with the following formula:

(1) An amount equal to 50 percent of such apportionment sum shall be apportioned among the cities having a population of 5,000 or more so that each such city shall receive of such amount the percentage that its money needs bears to the total money needs of all such cities.

(2) An amount equal to 50 percent of such apportionment sum shall be apportioned among the cities having a population of 5,000 or more so that each such city shall receive of such amount the percentage that its population bears to the total population of all such cities.

[For text of subs 2 and 3, see M.S.1996]

History: 1997 c 141 s 7

NOTE: The amendment to subdivision 1 by Laws 1997, chapter 141, section 7, is effective six months after the effective date of an increase in the gasoline excise tax rate or vehicle registration tax rates. No provision of this subdivision may take effect until Minnesota has been notified by the United States Department of Transportation that it will be receiving a specific sum in federal funds that has been designated specifically for a state infrastructure bank. Laws 1997, chapter 141, section 11.

162.181 BONDS; COUNTY.

Subdivision 1. **Limitation on amount.** Except as otherwise provided herein, any county may, in accordance with chapter 475, issue and sell its obligations, the total amount thereof not to exceed the total of the preceding two years state-aid allotments, for the purpose of establishing, locating, relocating, constructing, reconstructing, and improving county state-aid highways and constructing buildings and other facilities for maintaining county state-aid highways. In the resolution providing for the issuance of the obligations, the county board of the county shall irrevocably pledge and appropriate to the sinking fund from which the obligations are payable, an amount of the money allotted or to be allotted to the county from its account in the county state-aid highway fund sufficient to pay the principal of and the interest on the obligations as they respectively come due. The obligations shall be issued in the amounts and on terms such that the amount of principal and interest due in any calendar year on the obligations, including any similar obligations of the county which are outstanding, shall not exceed 50 percent of the amount of the last annual allotment preceding the bond issue received by the county from the construction account in the county state-aid highway fund. All interest on the obligations shall be paid out of the county's normal maintenance account in the county state-aid highway fund. The obligations may be made general obligations, but if money of the county other than money received from the county state-aid highway fund, is used for payment of the obligations, the money so used shall be restored to the appropriate fund from the money next received by the county from the construction or maintenance account in the county state-aid highway fund which is not required to be paid into a sinking fund for obligations.

[For text of subd 2, see M.S.1996]

Subd. 3. **Proceeds to be used for specific purposes.** Money received from the sale of the obligations and spent for the establishment, location, relocation, construction, reconstruction, and improvement of county state-aid highways within the county shall be spent only in accordance with other provisions of law and the rules of the transportation commissioner relating to those purposes.

[For text of subs 4 and 5, see M.S.1996]

History: 1997 c 159 art 2 s 9,10