

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
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Senate

State of Minnesota

S.F. No. 3320 - Additional Financing of Metro Area Transit

Author: Senator Lawrence J. Pogemiller

Prepared by: Krista Boyd, Fiscal Analyst (651/296-7681) *KB*
Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*

Date: March 23, 2006

Section 1 authorizes the Metropolitan Council to issue \$ 32 million of debt obligations for capital expenditures under its regional transit master plan and transit capital improvement plan, including the cost of issuance.

KB/BB:rer

Senators Pogemiller and Moua introduced--

S.F. No. 3320: Referred to the Committee on Transportation.

A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2004, section 473.39, by adding a subdivision.

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

Section 1. Minnesota Statutes 2004, section 473.39, is amended by adding a subdivision to read:

Subd. 11. Obligations. After July 1, 2006, in addition to the authority in subdivisions 1a, 1b, 1c, 1d, 1e, 1g, 1h, 1i, 1j, and 1k, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$32,000,000 for capital expenditures as prescribed in the council's regional transit master plan and transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations.

Sec. 2. APPLICATION.

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. EFFECTIVE DATE.

This act is effective the day following final enactment.

AGENCY INITIATIVE

Regional Transit Bonding Authority

Request: The Metropolitan Council requests \$32.8 million in bonding authority for transit capital improvements.

S.F. 3320 (Pogemiller) / H.F. 3682 (Abrams)

Staff Contacts:

Judd Schetnan
651-602-1142

Arlene McCarthy
651-602-1217

Why this legislation is needed

- The Metropolitan Council is seeking bonding authorization to issue \$32.8 million in regional bonds for transit projects identified in the agency’s transit capital plan.
- This level of bonding is the level planned in the Council’s 6 year Capital Improvement Program which was developed to implement the Council’s policy of holding flat the property tax impact to the taxpayers in the region.
- Bond proceeds would be used for basic transit infrastructure, such as replacement buses, transit bus facilities and other capital enhancements to the regional public transit system.
- These improvements to the transit system are allocated to all transit providers throughout the region, including Metro Mobility, opt-out programs, and small urban and rural dial-a-ride programs.
- Some of these bond proceeds are used to provide a local match for available federal funds, which allows us to take advantage of available federal transit capital funds.

- The legislature’s previous investment in bonding authority for transit is getting results. In past years, bonding authority for transit has led to the purchase of buses, improvements to passenger facilities and security improvements at transit sites. All of these improvements have helped increase the efficiency of the transit system and have led to gains in ridership.
- With approval of this legislation, the Metropolitan Council will be able to continue to maintain and improve the regional public transit system through the capital improvements identified in the agency’s adopted transit capital program.
- This request is consistent with the Metropolitan Council’s regional transportation policy plan and these capital improvements are critical to the overall success of the region’s public transit system. They help the system operate efficiently and will aid in the effort to increase transit ridership and mitigate congestion.

Twin Cities Regional Transit Capital Program

3/13/06

Description	2006	Fed Match
Opt Outs		
MTS/Reg Federal bus match	\$1,432,382	*
MVTA Replace small buses	\$450,000	
MVTA Replace buses	\$3,249,000	
MVTA Cameras	\$162,500	
Fare collection (upgrade)	\$250,000	
MVTA Remodeling	\$40,000	
MVTA COP	\$400,000	
Plymouth Replace buses	\$177,000	
SMTC Garage Expansion	\$1,500,000	
SMTC Southwest Station	\$400,000	
	8,060,882	
Other Providers		
Anoka Replace buses	\$236,000	
Carver Replace buses	\$59,000	
DARTS Replace buses	\$186,000	
Delano Replace buses	\$59,000	
Hastings Replace buses	\$118,000	
HSI Replace buses	\$140,000	
Metro Mobility Replace buses	\$1,960,000	
Metro Mobility Agency vehicles	\$1,351,118	
MTS small buses	\$490,000	
NEST Replace buses	\$118,000	
SCS Dispatching	\$50,000	
	\$6,043,118	
Metro Transit		
Bus Replacement & Growth	\$5,000,000	*
Bus Garage-FTH 2	\$2,780,000	*
Light Rail Vehicles	\$1,440,000	*
I-94 East Park & Ride	\$800,000	*
Energy Improvements at Facilities	\$600,000	*
Rail System Facility Bldg	\$600,000	*
Underground Storage Tanks Replacement	\$600,000	*
Associated Capital Maintenance - Bus	\$400,000	*
Associated Capital Maintenance - Rail	\$162,500	*
Transit Business Systems	\$500,000	*
Uninterruptible Power Source & Lightning Ar	\$400,000	*
Bus Tires	\$250,000	*
Fare Collection Equipment & Maintenance	\$169,360	*
Security and Safety Projects	\$110,000	*
Transit Enhancement Projects	\$110,000	*
LRT Modular Overhaul of Components	\$100,000	*
LRT Control Systems Replacement Equip	\$50,000	*
Major Improvements to Support Facilities	\$2,170,000	
Support Equipment	\$1,904,140	
Public Facilities Initiatives	\$300,000	
Down Town Transit Advantages	\$200,000	
Transit Facility Land Acquisition	\$50,000	
	\$18,696,000	
Total	\$32,800,000	

HR - 320 & SR - 443

HEREIN AFTER CALLED THE
MINNESOTA TRANSPORTATION ACT
(MTA)

The MTA will insure safe and sound funding of Minnesota's transportation system.

The MTA will do this by enhancing a current banking practice (creating money as an investment) [see back of this page]. This Act will help insure the safety and soundness of Minnesota's state chartered banking system.

The MTA will mandate that Minnesota's Transportation Dept. and Minnesota's state chartered banks enter into a agreement where the banks will invest in legislatively approved transportation projects.

Under the (MTA), the state chartered banks will create a pass-through account titled Asset Monetization Account, thereby monetizing the bid value of a project. This process will turn the bid value of the project into money, without debt.

This money will be electronically debited out of the AMA and credited to the State's Transportation Account. Then these funds will be debited out of the S(TA) and credited to the contractor's bank account, in a state bank, according to the terms of the contract. The contractor will spend this money to complete the project.

This money will flow into Minnesota's economy where it will provide for better, safer, longer lasting roads and bridges. This money will be used to purchase the needs and wants of life, which will be very beneficial to the business community. This money will be used to pay taxes, which will help the State balance it's budget. This money will flow back into the state chartered banks as interest payment on outstanding loans, thereby reducing the number of loan defaults and improve the profits of the state chartered banks.

The MTA will benefit every segment of society.

"BANKS CAN EXPAND OUR MONEY SUPPLY BY MAKING LOANS AND INVESTMENTS." The Story of Banks Federal Reserve Bank of N.Y.

To Rodney Hext
At rhext@fdic.gov

I want to thank you for taking time to visit with me yesterday afternoon, 1/24/05, and send you this follow up memo to confirm that I understood our conversation correctly.

When I asked *could a bank create money as investments as well as loans and if so what could they invest in?* You replied: *That is a hard question to answer. It depends on whether it was a federal bank or a state bank.* I said, *If it were a state bank, what would be the controlling factors.* You replied, *then the state law would be the control. And that would control the FDIC audit.*

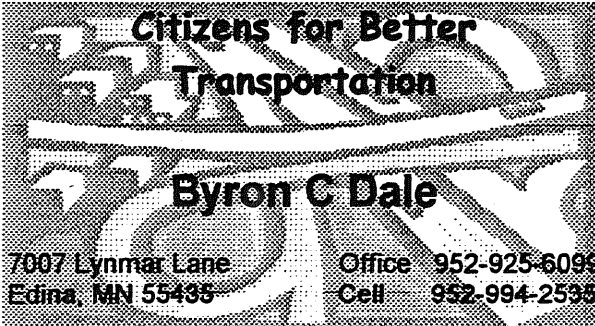
Please either confirm or correct so that I can be sure I understood our conversation correctly.

Thank you for your time.
Byron Dale

Subj: RE: (no subject)
Date: 01/31/2005 10:19:00 AM Central Standard Time
From: Rhext@FDIC.gov
To: Craftyludie@aol.com
Sent from the Internet (Details)

Yes sir, that was the information I was provided by one of our subject matter experts and in turn, what I provided to you.

Thank you,
Rodney Hext



**Citizens for Better
Transportation**

Byron C Dale

7007 Lynmar Lane Office 952-925-6099
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State of Minnesota

S.F. No. 2980 - Driver's License Content and Cancellation

Author: Senator Michael J. Jungbauer

Prepared by: Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*
Krista Boyd, Fiscal Analyst (651/296-7681) *KB*

Date: March 23, 2006

Section 1 is deleted by the (SCS2980A-1) amendment.

Section 2 adds to the definition of "conviction" in the driver's license law a plea of nolo contendere (no contest) that is accepted by the court.

Section 3 adds to the required content of a driver's license the license class, and any endorsements or restrictions.

Section 4 amends current law that authorizes cancellation of the driver's license of a person who fails to provide required information or commits fraud/deceit in the application. New language (in the A-1 amendment) requires cancellation when the licensee both fails to provide information and commits fraud/deceit—one of these acts is insufficient to justify cancellation. The cancellation is for 60 days or until the required information is provided, whichever period is longer.

BB/KB:rer

Senator Jungbauer introduced—

S.F. No. 2980: Referred to the Committee on Transportation.

A bill for an act

1.2 relating to drivers' licenses; modifying commercial driver's license revocation
 1.3 provision to conform to federal regulations; modifying definition of "conviction";
 1.4 modifying content required on driver's license; allowing 60-day cancellation of
 1.5 driver's license when application information inadequate; making clarifying
 1.6 changes; amending Minnesota Statutes 2004, sections 169A.52, subdivision 7;
 1.7 171.01, subdivision 29; 171.14; Minnesota Statutes 2005 Supplement, section
 1.8 171.07, subdivision 1.

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

1.10 Section 1. Minnesota Statutes 2004, section 169A.52, subdivision 7, is amended to
 1.11 read:

1.12 Subd. 7. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner,
 1.13 a peace officer requiring a test or directing the administration of a chemical test shall
 1.14 serve immediate notice of intention to revoke and of revocation on a person who refuses
 1.15 to permit a test or on a person who submits to a test the results of which indicate an
 1.16 alcohol concentration of 0.08 or more.

1.17 (b) On behalf of the commissioner, a peace officer requiring a test or directing the
 1.18 administration of a chemical test of a person driving, operating, or in physical control of a
 1.19 commercial motor vehicle shall serve immediate notice of intention to disqualify and of
 1.20 disqualification on a person who refuses to permit a test, ~~or on a person who submits to a~~
 1.21 ~~test the results of which indicate an alcohol concentration of 0.04 or more.~~

1.22 (c) The officer shall:

1.23 (1) invalidate the person's driver's license or permit card by clipping the upper
 4 corner of the card in such a way that no identifying information including the photo is
 1.25 destroyed, and immediately return the card to the person;

1.26 (2) issue the person a temporary license effective for only seven days; and

2.1 (3) send the notification of this action to the commissioner along with the certificate
2.2 required by subdivision 3 or 4.

2.3 Sec. 2. Minnesota Statutes 2004, section 171.01, subdivision 29, is amended to read:

2.4 Subd. 29. **Conviction.** The term "conviction" means a final conviction either after
2.5 trial or upon a plea of guilty or nolo contendere accepted by the court. Also, a forfeiture
2.6 of cash or collateral deposited to guarantee a defendant's appearance in court, which
2.7 forfeiture has not been vacated; the failure to comply with a written notice to appear in
2.8 court; ~~or a breach of a condition of release without bail;~~ or the payment of a fine or court
2.9 cost, is equivalent to a conviction.

2.10 Sec. 3. Minnesota Statutes 2005 Supplement, section 171.07, subdivision 1, is
2.11 amended to read:

2.12 Subdivision 1. **License; contents.** (a) Upon the payment of the required fee, the
2.13 department shall issue to every qualifying applicant a license designating the type or class
2.14 of vehicles the applicant is authorized to drive as applied for. This license must bear a
2.15 distinguishing number assigned to the licensee; the licensee's full name, date of birth,
2.16 ~~and~~ residence address; the license class, endorsements, and restrictions imposed, if any;
2.17 a description of the licensee in a manner as the commissioner deems necessary; and the
2.18 usual signature of the licensee. No license is valid unless it bears the usual signature of
2.19 the licensee. Every license must bear a colored photograph or an electronically produced
2.20 image of the licensee.

2.21 (b) If the United States Postal Service will not deliver mail to the applicant's
2.22 residence address as listed on the license, then the applicant shall provide verification from
2.23 the United States Postal Service that mail will not be delivered to the applicant's residence
2.24 address and that mail will be delivered to a specified alternate mailing address. When an
2.25 applicant provides an alternate mailing address under this subdivision, the commissioner
2.26 shall use the alternate mailing address in lieu of the applicant's residence address for
2.27 all notices and mailings to the applicant.

2.28 (c) Every license issued to an applicant under the age of 21 must be of a
2.29 distinguishing color and plainly marked "Under-21."

2.30 (d) The department shall use processes in issuing a license that prohibit, as nearly as
2.31 possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a
2.32 photograph or electronically produced image on a license, without ready detection.

2.33 (e) A license issued to an applicant age 65 or over must be plainly marked "senior" if
2.34 requested by the applicant.

3.1 Sec. 4. Minnesota Statutes 2004, section 171.14, is amended to read:

171.14 CANCELLATION.

3.3 (a) The commissioner shall have authority to may cancel any driver's license upon
3.4 determination that (1) the licensee was not entitled to the issuance thereof hereunder,
3.5 or that of the license, (2) the licensee failed to give the required or correct information
3.6 in the application, or committed any fraud or deceit in making such the application:
3.7 ~~The commissioner may also cancel the driver's license of any, or (3) the person who,~~
3.8 at the time of the cancellation, would not have been entitled to receive a license under
3.9 the provisions of section 171.04.

3.10 (b) The commissioner shall cancel the driver's license of a person described in
3.11 paragraph (a), clause (2), for 60 days or until the required or correct information has
3.12 been provided, whichever is longer.

- 1.1 Senator moves to amend S.F. No. 2980 as follows:
- 1.2 Page 1, delete section 1
- 1.3 Page 3, line 6, strike the first "or" and insert "and"
- 1.4 Renumber the sections in sequence and correct the internal references
- 1.5 Amend the title accordingly

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State of Minnesota

S.F. No. 3007 - Allowing Advertising on Trash and Recycling Receptacles (As Amended by SCS3007A-1 Delete-Everything)

Author: Senator D. Scott Dibble

Prepared by: Krista Boyd, Fiscal Analyst (651/296-7681) *KB*
Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*

Date: March 21, 2006

This bill allows:

- ◆ the placement and maintenance of trash and recycling receptacles within limits of any street or highway; and
- ◆ the placement of advertising on the receptacles, subject to authorization.

Franchises for the placement and maintenance of receptacles may be granted by a city council, if within city limits, or by the road authority, if outside city limits.

KB/BB:rer

1.1 Senator moves to amend S.F. No. 3007 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2004, section 160.27, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 7a. Trash and recycling receptacles. (a) Trash and recycling receptacles
1.6 and enclosures around them may be placed and maintained within the limits of any
1.7 street or highway, including streets and highways within cities, when a license, permit,
1.8 or franchise therefor is first obtained from the road authority. The owners may place
1.9 advertisements on trash and recycling receptacles, and on any enclosures around them, if
1.10 authorized by the license, permit, or franchise. The receptacles and enclosures shall not
1.11 be placed or maintained on the portion of the highway or street prepared and maintained
1.12 for vehicle traffic.

1.13 (b) The council of any city may, by public negotiation or bid, grant franchises for
1.14 the placement, operation, or maintenance of trash and recycling receptacles on streets
1.15 and highways within the city. The franchises shall be granted subject to terms and
1.16 conditions as the city may prescribe, including the payment of compensation to the city.
1.17 This provision does not supersede or preclude any requirements for obtaining permits
1.18 from the appropriate road authority having jurisdiction for construction, reconstruction,
1.19 or maintenance of the right-of-way of any trunk highway, county highway, or county
1.20 state-aid highway.

1.21 (c) On streets and highways outside of cities, the road authority may, by public
1.22 negotiation or bid, grant franchises for the placement, operation, or maintenance of trash
1.23 and recycling receptacles on streets and highways within the road authority's jurisdiction.
1.24 The franchises shall be granted subject to terms and conditions as the road authority may
1.25 prescribe, including the payment of compensation to the road authority."

1.1 Senator moves to amend the delete-everything amendment

1.2 (SCS3007A-1) to S.F. No. 3007 as follows:

1.3 Page 1, line 6, delete "and enclosures around them"

1.4 Page 1, line 9, delete everything after "receptacles" and insert "if "

1.5 Page 1, line 10, delete "and enclosures"

1.6 Page 1, line 12, after the period, insert "Advertisements may not be placed on a
1.7 receptacle that is attached to, or located within 50 feet of, a bus shelter or bench."

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Senate

State of Minnesota

S.F. No. 1672 - Department of Transportation Land Acquisition (As Amended by SCS1672A-1 Delete- Everything)

Author: Senator D. Scott Dibble

Prepared by: Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*
Krista Boyd, Fiscal Analyst (651/296-7681) *KB*

Date: March 23, 2006

Section 1 changes law relating to land acquisition for transportation purposes in the following ways:

- Applies to all real property acquisitions, not just eminent domain, the requirement that the acquiring authority obtain at least one appraisal for property to be acquired;
- Clarifies that the rights of fee owners of real property in transportation-related acquisitions apply also to contract purchasers;
- Requires the acquiring authority, upon request, to make available to the owner all property appraisals;
- Increases from 60 to 90 the number of days after the owner receives the appraisal from the acquiring authority, for the owner to request reimbursement. Reimbursement must be requested at least 30 days before a condemnation commissioners' hearing;
- Requires the appraisal to be conducted in accordance with the Uniform Standards of Professional Appraisal Practice;
- Requires the acquiring authority to reimburse the owner for appraisal costs within 30 days after receiving a copy of the appraisal and reimbursement information;
- Allows the authority to reimburse appraisal costs up to \$1,500 for an appraisal of residential, agricultural, or open land, or up to \$5,000 for an appraisal of commercial or industrial land, directly to the appraiser, if the acquiring authority and owner agree to direct payment;
- Requires the acquiring authority, when negotiating with the owner for direct purchase

of the property, to consider any available appraisals obtained and furnished by the owner; and

- Prohibits any party in a condemnation commissioners' hearing from using an appraisal or an appraiser's testimony, if that party has not furnished the written appraisal to the opposing party at least five days before the hearing.

Section 2 creates an open and standing appropriation to the Commissioner of Transportation of the proceeds from the sale or lease of surplus and excess land and buildings to be used for costs of selling or leasing the property, and required fees.

Section 3 allows MnDOT to reconvey property acquired in a pending eminent domain action, back to the previous owner, without the owner's consent, for good cause and with the consent of the court. This section is effective immediately.

BB/KB:rer

1

A bill for an act

2

relating to transportation; modifying provisions

3

relating to property transactions of Department of

4

Transportation; making clarifying changes; amending

5

Minnesota Statutes 2004, sections 13.44, subdivision

6

3; 117.036; 161.44, by adding a subdivision; 161.442;

7

515B.1-107; 515B.3-102.

8

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

9

Section 1. Minnesota Statutes 2004, section 13.44,

10

subdivision 3, is amended to read:

11

Subd. 3. [REAL PROPERTY; APPRAISAL DATA.] (a) [

12

CONFIDENTIAL OR PROTECTED NONPUBLIC DATA.] Estimated or

13

appraised values of individual parcels of real property which

14

that are made by personnel of the state~~7-its-agencies-and~~

15

~~departments7~~ or a political subdivision or by independent

16

appraisers acting for the state~~7-its-agencies-and-departments7~~

17

or a political subdivision for the purpose of selling or

18

acquiring land through purchase or condemnation are classified

19

as confidential data on individuals or protected nonpublic data.

20

(b) [PRIVATE OR NONPUBLIC DATA.] Appraised values of

21

individual parcels of real property that are made by appraisers

22

working for fee owners or contract purchasers who have received

23

an offer to purchase their property from the state or a

24

political subdivision are classified as private data on

25

individuals or nonpublic data.

26

(c) [PUBLIC DATA.] The data made confidential or protected

1 nonpublic ~~by-the-provisions-of~~ under paragraph (a) ~~shall or made~~
2 private or nonpublic under paragraph (b) become public upon the
3 occurrence of any of the following:

4 (1) ~~the-negotiating-parties-exchange-appraisals;~~

5 ~~(2) the data are submitted to a court-~~appointed

6 condemnation commissioner;

7 ~~(3) (2) the data are presented in court in condemnation~~

8 proceedings; or

9 ~~(4) (3) the negotiating parties enter into an agreement for~~
10 the purchase and sale of the property; ~~or~~

11 ~~(5)-the-data-are-submitted-to-the-owner-under-section~~
12 ~~117.036.~~

13 [EFFECTIVE DATE.] This section is effective the day
14 following final enactment.

15 Sec. 2. Minnesota Statutes 2004, section 117.036, is
16 amended to read:

17 117.036 [APPRAISAL AND NEGOTIATION REQUIREMENTS APPLICABLE
18 TO ACQUISITION OF PROPERTY FOR TRANSPORTATION PURPOSES.]

19 Subdivision 1. [APPLICATION.] This section applies to the
20 acquisition of property for public highways, streets, roads,
21 alleys, airports, mass transit facilities, or for other
22 transportation facilities or purposes.

23 Subd. 2. [APPRAISAL.] (a) Before ~~commencing-an- eminent~~
24 ~~domain-proceeding-under-this-chapter~~ acquiring an interest in
25 real property, the acquiring authority must obtain at least one
26 appraisal for the property proposed to be acquired. In making
27 the appraisal, the appraiser must confer with one or more of the
28 fee owners or contract purchasers of the property, if reasonably
29 possible. Notwithstanding section 13.44 or any other law to the
30 contrary, the acquiring authority must provide the fee owner or
31 contract purchaser with a copy of the appraisal at least 20 days
32 before presenting a petition under section 117.055, the
33 ~~acquiring-authority-must-provide-the-owner-with-a-copy-of-the~~
34 ~~appraisal~~ and inform the ~~owner-of-the-owner's~~ fee owner or
35 contract purchaser of the right to obtain an appraisal under
36 this section. Upon request, the acquiring authority must make

1 available to the fee owner or contract purchaser all appraisals
2 of the property.

3 (b) The fee owner or contract purchaser may obtain an
4 appraisal by a qualified appraiser of the property proposed to
5 be acquired. The fee owner or contract purchaser is entitled to
6 reimbursement for the reasonable costs of the appraisal from the
7 acquiring authority up to a maximum of \$1,500 ~~within-30-days~~
8 ~~after-the~~ if the fee owner or contract purchaser:

9 (1) submits to the acquiring authority a copy of the
10 appraisal and the information necessary for reimbursement,
11 ~~provided-that-the-owner-does-so;~~

12 (2) requests reimbursement within 60 90 days after the
13 ~~owner-receives~~ receiving the appraisal from the authority under
14 paragraph (a) and at least 30 days before a condemnation
15 commissioners' hearing; and

16 (3) ensures that the appraisal is conducted in accordance
17 with the Uniform Standards of Professional Appraisal Practice.
18 The acquiring authority must pay the reimbursement to the fee
19 owner or contract purchaser within 30 days after receiving a
20 copy of the appraisal and the reimbursement information. Upon
21 agreement between the acquiring authority and either the fee
22 owner or contract purchaser, the acquiring authority may pay the
23 reimbursement up to \$1,500 directly to the appraiser.

24 Subd. 3. [NEGOTIATION.] In addition to the appraisal
25 requirements under subdivision 2, before commencing an eminent
26 domain proceeding, the acquiring authority must make a good
27 faith attempt to negotiate personally with the fee owner or
28 contract purchaser of the property in order to acquire the
29 property by direct purchase instead of the use of eminent domain
30 proceedings. In making this negotiation, the acquiring
31 authority must consider the appraisals in its possession,
32 including any appraisal obtained and furnished by the fee owner
33 or contract purchaser if available, and other information that
34 may be relevant to a determination of damages under this chapter.

35 Subd. 4. [CONDEMNATION COMMISSIONERS' HEARING.] (a)
36 Notwithstanding section 13.44, an owner's appraisal may not be

1 used or considered in a condemnation commissioners' hearing
2 conducted under section 117.085, nor may the owner's appraiser
3 testify, unless a copy of the owner's appraiser's written report
4 is provided to the acquiring authority at least five days before
5 the hearing.

6 (b) Notwithstanding section 13.44, the acquiring
7 authority's appraisal may not be used or considered in a
8 condemnation commissioners' hearing conducted under section
9 117.085, nor may the acquiring authority's appraiser testify,
10 unless a copy of the acquiring authority's appraiser's written
11 report is provided to the owner or contract purchaser at least
12 five days before the hearing.

13 Sec. 3. Minnesota Statutes 2004, section 161.44, is
14 amended by adding a subdivision to read:

15 Subd. 9a. [APPROPRIATION.] (a) Proceeds from the sale or
16 lease of real estate and buildings under this section and
17 sections 161.23 and 161.41 must be paid into the trunk highway
18 fund and are appropriated to the commissioner to pay:

19 (1) for the actual cost of selling or leasing the real
20 estate or buildings; and

21 (2) the fees required to be paid under this section and
22 section 161.23.

23 (b) Proceeds are available until expended.

24 Sec. 4. Minnesota Statutes 2004, section 161.442, is
25 amended to read:

26 161.442 [RECONVEYANCE TO FORMER OWNER.]

27 Notwithstanding sections 161.23, 161.41, 161.411, 161.43,
28 161.44, or any other statute, the commissioner of
29 transportation, with the consent of the owner, or for good cause
30 and with the consent of the court, may transfer, sell, or convey
31 real property including fixtures, and interests in real property
32 including easements, to the owner from whom the property was
33 acquired by the state for trunk highway purposes through a
34 pending eminent domain action. The transfer of title may be by
35 stipulation, partial dismissal, bill of sale, or conveyance.
36 Any resulting change in the state's acquisition must be

1 explained in the final certificate for that action. This
2 provision does not confer on a landowner the right to compel a
3 reconveyance without the consent of the commissioner.

4 [EFFECTIVE DATE.] This section is effective the day
5 following final enactment.

6 Sec. 5. Minnesota Statutes 2004, section 515B.1-107, is
7 amended to read:

8 515B.1-107 [EMINENT DOMAIN.]

9 (a) If a unit is acquired by eminent domain, or if part of
10 a unit is acquired by eminent domain leaving the unit owner with
11 a remnant which may not practically or lawfully be used for any
12 material purpose permitted by the declaration, the award shall
13 compensate the unit owner and secured party in the unit as their
14 interests may appear, whether or not any common element interest
15 is acquired. Upon acquisition, unless the order or final
16 certificate otherwise provides, that unit's allocated interests
17 are automatically reallocated among the remaining units in
18 proportion to their respective allocated interests prior to the
19 taking, and the association shall promptly prepare, execute, and
20 record an amendment to the declaration reflecting the
21 allocations. Any remnant of a unit remaining after part of a
22 unit is taken under this subsection is thereafter a common
23 element.

24 (b) Except as provided in subsection (a), if part of a unit
25 is acquired by eminent domain, the award shall compensate the
26 unit owner and secured party for the reduction in value of the
27 unit and its interest in the common elements, whether or not any
28 common elements are acquired. Upon acquisition, unless the
29 order or final certificate otherwise provides, (i) that unit's
30 allocated interests are reduced in proportion to the reduction
31 in the size of the unit, or on any other basis specified in the
32 declaration and (ii) the portion of the allocated interests
33 divested from the partially acquired unit are automatically
34 reallocated to that unit and to the remaining units in
35 proportion to the respective allocated interests of those units
36 before the taking, with the partially acquired unit

1 participating in the reallocation on the basis of its reduced
2 allocated interests.

3 (c) If part of the common elements is acquired by eminent
4 domain, the association shall accept service of process on
5 behalf of all unit owners and the portion of the award
6 attributable to the common elements taken shall be paid to the
7 association. Unless the declaration provides otherwise, any
8 portion of the award attributable to the acquisition of a
9 limited common element shall be equally divided among the owners
10 of the units to which that limited common element was allocated
11 at the time of acquisition and their secured parties, as their
12 interests may appear or as provided by the declaration.

13 (d) In any eminent domain proceeding the units shall be
14 treated as separate parcels of real estate for valuation
15 purposes, regardless of the number of units subject to the
16 proceeding.

17 (e) Any distribution to a unit owner from the proceeds of
18 an eminent domain award shall be subject to any limitations
19 imposed by the declaration or bylaws.

20 (f) The court order or final certificate containing the
21 final awards shall be recorded in every county in which any
22 portion of the common interest community is located.

23 Sec. 6. Minnesota Statutes 2004, section 515B.3-102, is
24 amended to read:

25 515B.3-102 [POWERS OF UNIT OWNERS' ASSOCIATION.]

26 (a) Except as provided in subsection (b), and subject to
27 the provisions of the declaration or bylaws, the association
28 shall have the power to:

29 (1) adopt, amend and revoke rules and regulations not
30 inconsistent with the articles of incorporation, bylaws and
31 declaration, as follows: (i) regulating the use of the common
32 elements; (ii) regulating the use of the units, and conduct of
33 unit occupants, which may jeopardize the health, safety or
34 welfare of other occupants, which involves noise or other
35 disturbing activity, or which may damage the common elements or
36 other units; (iii) regulating or prohibiting animals; (iv)

1 regulating changes in the appearance of the common elements and
2 conduct which may damage the common interest community; (v)
3 regulating the exterior appearance of the common interest
4 community, including, for example, balconies and patios, window
5 treatments, and signs and other displays, regardless of whether
6 inside a unit; (vi) implementing the articles of incorporation,
7 declaration and bylaws, and exercising the powers granted by
8 this section; and (vii) otherwise facilitating the operation of
9 the common interest community;

10 (2) adopt and amend budgets for revenues, expenditures and
11 reserves, and levy and collect assessments for common expenses
12 from unit owners;

13 (3) hire and discharge managing agents and other employees,
14 agents, and independent contractors;

15 (4) institute, defend, or intervene in litigation or
16 administrative proceedings (i) in its own name on behalf of
17 itself or two or more unit owners on matters affecting the
18 common elements or other matters affecting the common interest
19 community or, (ii) with the consent of the owners of the
20 affected units on matters affecting only those units;

21 (5) make contracts and incur liabilities;

22 (6) regulate the use, maintenance, repair, replacement and
23 modification of the common elements and the units;

24 (7) cause improvements to be made as a part of the common
25 elements, and, in the case of a cooperative, the units;

26 (8) acquire, hold, encumber, and convey in its own name any
27 right, title, or interest to real estate or personal property,
28 but (i) common elements in a condominium or planned community
29 may be conveyed or subjected to a security interest only
30 pursuant to section 515B.3-112, or (ii) part of a cooperative
31 may be conveyed, or all or part of a cooperative may be
32 subjected to a security interest, only pursuant to section
33 515B.3-112;

34 (9) grant public utility and transportation easements
35 through, over or under the common elements, and, subject to
36 approval by resolution of unit owners other than declarant or

1 its affiliates at a meeting duly called, grant other public or
2 private easements, leases and licenses through, over or under
3 the common elements;

4 (10) impose and receive any payments, fees, or charges for
5 the use, rental, or operation of the common elements, other than
6 limited common elements, and for services provided to unit
7 owners;

8 (11) impose charges for late payment of assessments and,
9 after notice and an opportunity to be heard, levy reasonable
10 fines for violations of the declaration, bylaws, and rules and
11 regulations of the association;

12 (12) impose reasonable charges for the review, preparation
13 and recordation of amendments to the declaration, resale
14 certificates required by section 515B.4-107, statements of
15 unpaid assessments, or furnishing copies of association records;

16 (13) provide for the indemnification of its officers and
17 directors, and maintain directors' and officers' liability
18 insurance;

19 (14) provide for reasonable procedures governing the
20 conduct of meetings and election of directors;

21 (15) exercise any other powers conferred by law, or by the
22 declaration, articles of incorporation or bylaws; and

23 (16) exercise any other powers necessary and proper for the
24 governance and operation of the association.

25 (b) Notwithstanding subsection (a) the declaration or
26 bylaws may not impose limitations on the power of the
27 association to deal with the declarant which are more
28 restrictive than the limitations imposed on the power of the
29 association to deal with other persons.

1.1 Senator moves to amend S.F. No. 1672 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2004, section 117.036, is amended to read:

1.4 **117.036 APPRAISAL AND NEGOTIATION REQUIREMENTS**
1.5 **APPLICABLE TO ACQUISITION OF PROPERTY FOR TRANSPORTATION**
1.6 **PURPOSES.**

1.7 Subdivision 1. **Application.** This section applies to the acquisition of property
1.8 for public highways, streets, roads, alleys, airports, mass transit facilities, or for other
1.9 transportation facilities or purposes.

1.10 Subd. 2. **Appraisal.** (a) Before ~~commencing an eminent domain proceeding under~~
1.11 ~~this chapter~~ acquiring an interest in real property, the acquiring authority must obtain at
1.12 least one appraisal for the property proposed to be acquired. In making the appraisal, the
1.13 appraiser must confer with one or more of the fee owners or contract purchasers of the
1.14 property, if reasonably possible. Notwithstanding section 13.44 or any other law to the
1.15 contrary, the acquiring authority must provide the fee owner or contract purchaser with a
1.16 copy of the appraisal at least 20 days before presenting a petition under section 117.055,
1.17 ~~the acquiring authority must provide the owner with a copy of the appraisal~~ and inform the
1.18 ~~owner of the owner's~~ fee owner or contract purchaser of the right to obtain an appraisal
1.19 under this section. Upon request, the acquiring authority must make available to the fee
1.20 owner or contract purchaser all appraisals of the property.

1.21 (b) The fee owner or contract purchaser may obtain an appraisal by a qualified
1.22 appraiser of the property proposed to be acquired. The fee owner or contract purchaser
1.23 is entitled to reimbursement for the reasonable costs of the appraisal from the acquiring
1.24 authority up to a maximum of \$1,500 ~~within 30 days after the~~ for an appraisal of
1.25 residential, agricultural, or open land and up to a maximum of \$5,000 for an appraisal of
1.26 commercial or industrial land if the fee owner or contract purchaser:

1.27 (1) submits to the acquiring authority a copy of the appraisal and the information
1.28 necessary for reimbursement, ~~provided that the owner does so;~~

1.29 (2) requests reimbursement within 60 90 days after the owner receives receiving
1.30 the appraisal from the authority under paragraph (a): and at least 30 days before a
1.31 condemnation commissioners' hearing; and

1.32 (3) ensures that the appraisal is conducted in accordance with the Uniform Standards
1.33 of Professional Appraisal Practice. The acquiring authority must pay the reimbursement to
1.34 the fee owner or contract purchaser within 30 days after receiving a copy of the appraisal
1.35 and the reimbursement information. Upon agreement between the acquiring authority

2.1 and either the fee owner or contract purchaser, the acquiring authority may pay the
2.2 reimbursement directly to the appraiser.

2.3 Subd. 3. **Negotiation.** In addition to the appraisal requirements under subdivision 2,
2.4 before commencing an eminent domain proceeding, the acquiring authority must make a
2.5 good faith attempt to negotiate personally with the fee owner or contract purchaser of the
2.6 property in order to acquire the property by direct purchase instead of the use of eminent
2.7 domain proceedings. In making this negotiation, the acquiring authority must consider
2.8 the appraisals in its possession, including any appraisal obtained and furnished by the fee
2.9 owner or contract purchaser if available, and other information that may be relevant to a
2.10 determination of damages under this chapter.

2.11 Subd. 4. **Condemnation commissioners' hearing.** (a) Notwithstanding
2.12 section 13.44, an owner's appraisal may not be used or considered in a condemnation
2.13 commissioners' hearing conducted under section 117.085, nor may the owner's appraiser
2.14 testify, unless a copy of the owner's appraiser's written report is provided to the acquiring
2.15 authority at least five days before the hearing.

2.16 (b) Notwithstanding section 13.44, the acquiring authority's appraisal may not be
2.17 used or considered in a condemnation commissioners' hearing conducted under section
2.18 117.085, nor may the acquiring authority's appraiser testify, unless a copy of the acquiring
2.19 authority's appraiser's written report is provided to the owner or contract purchaser at
2.20 least five days before the hearing.

2.21 Sec. 2. Minnesota Statutes 2004, section 161.44, is amended by adding a subdivision
2.22 to read:

2.23 Subd. 9a. **Appropriation.** (a) Proceeds from the sale or lease of real estate and
2.24 buildings under this section and sections 161.23 and 161.41 must be paid into the trunk
2.25 highway fund and are appropriated to the commissioner to pay:

2.26 (1) for the actual cost of selling or leasing the real estate or buildings; and

2.27 (2) the fees required to be paid under this section and section 161.23.

2.28 (b) Proceeds are available until expended.

2.29 Sec. 3. Minnesota Statutes 2004, section 161.442, is amended to read:

2.30 **161.442 RECONVEYANCE TO FORMER OWNER.**

2.31 Notwithstanding sections 161.23, 161.41, 161.411, 161.43, 161.44, or any other
2.32 statute, the commissioner of transportation, with the consent of the owner, or for good
2.33 cause and with the consent of the court, may transfer, sell, or convey real property
2.34 including fixtures, and interests in real property including easements, to the owner
2.35 from whom the property was acquired by the state for trunk highway purposes through

3.1 a pending eminent domain action. The transfer of title may be by stipulation, partial
3.2 dismissal, bill of sale, or conveyance. Any resulting change in the state's acquisition must
3.3 be explained in the final certificate for that action. This provision does not confer on a
3.4 landowner the right to compel a reconveyance without the consent of the commissioner.

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

- 1.1 Senator moves to amend the delete-everything amendment
- 1.2 (SCS1672A-2) to S.F. No. 1672 as follows:
- 1.3 Page 2, delete section 2
- 1.4 Renumber the sections in sequence and correct the internal references
- 1.5 Amend the title accordingly

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

S.F. No. 2940 - Bicycle Operators and Passengers Helmet Requirements

Author: Senator Steve Murphy

Prepared by: Krista Boyd, Fiscal Analyst (651/296-7681) *KB*
Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*

Date: March 23, 2006

Section 1:

- ◆ requires all bicycle operators or passengers under the age of 18 to wear protective headgear;
- ◆ assesses a fine of \$25 against:
 - ▶ persons age 15 or over who do not comply with this requirement, and
 - ▶ the parent of persons under the age of 15 who do not comply;
- ◆ allows that violations of this requirement will not be recorded on a person's driving record; and
- ◆ appropriates the fines collected under this bill to the Commissioner of Public Safety, to fund bicycle safety education programs conducted by State Patrol troopers.

Section 2 amends language in the statute pertaining to motorized bicycles, to update the standard of protective headgear to that required for bicycles per **Section 1** of this bill.

KB/BB:rer

Senator Murphy introduced—

S.F. No. 2940: Referred to the Committee on Transportation.

A bill for an act relating to transportation; requiring bicycle operators and passengers under the age of 18 to wear helmets; updating standard for helmets worn by operators of motorized bicycles and electric-assisted bicycles; amending Minnesota Statutes 2004, sections 169.222, by adding a subdivision; 169.223, subdivision 1.

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

Section 1. Minnesota Statutes 2004, section 169.222, is amended by adding a subdivision to read:

Subd. 6a. Bicycle helmet requirement. (a) No person under the age of 18 shall operate or ride a bicycle on a street, highway, bikeway, or any other public bicycle path or trail, without wearing properly fitted and fastened protective headgear that complies with the standard established for helmets used in recreational bicycling, ASTM F1447-02 and subsequent updates or amendments to that standard, approved by the American National Standards Institute. This requirement applies to a person riding a bicycle in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle.

(b) A person who is 15 years of age or older and who violates paragraph (a) is subject to a fine of \$25. The parent or legal guardian of a person who is under 15 years of age and who violates paragraph (a) is subject to a fine of \$25. The Department of Public Safety shall not record a violation of this subdivision on a person's driving record.

(c) Fines collected for a violation of paragraph (a) must be deposited in the state treasury and appropriated to the commissioner of public safety for the expenses of bicycle safety education programs conducted by State Patrol troopers.

Sec. 2. Minnesota Statutes 2004, section 169.223, subdivision 1, is amended to read:

2.1 Subdivision 1. **Safety equipment; parking.** Except as otherwise provided in this
2.2 section, section 169.974 relating to motorcycles is applicable to motorized bicycles,
2.3 except that:

2.4 (1) protective headgear includes headgear that meets the ~~American National~~ standard
2.5 for ~~Protective Headgear for Bicyclists, ANSI Z90.4-1984~~ helmets used in recreational
2.6 bicycling, ASTM F1447-02 and subsequent updates or amendments to that standard,
2.7 approved by the American National Standards Institute, Inc.;

2.8 (2) a motorized bicycle equipped with a headlight and taillight meeting the
2.9 requirements of lighting for motorcycles may be operated during nighttime hours;

2.10 (3) except as provided in clause (5), protective headgear is not required for operators
2.11 18 years of age or older;

2.12 (4) the provisions of section 169.222 governing the parking of bicycles apply to
2.13 motorized bicycles;

2.14 (5) the operator of an electric-assisted bicycle must wear properly fitted and
2.15 fastened headgear that meets the ~~American National Standard for Protective Headgear for~~
2.16 ~~Bicyclists, ANSI Z90.4-1984, approved by the American National Standards Institute,~~
2.17 ~~Inc.~~ standard listed in clause (1), when operating the electric-assisted bicycle on a street or
2.18 highway; and

2.19 (6) eye protection devices are not required for operators of electric-assisted bicycles.



Minnesota State Council on Disability



March 23, 2006

Members of the Transportation Committee
Minnesota State Senate
75 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

Dear Senator:

One of the mandated responsibilities of the Minnesota State Council on Disability (MSCOD) is to advise the Legislature on matters pertaining to public policy and the administration of programs, services and facilities for persons with disabilities. Given this mandate, on behalf of MSCOD, I write to support Senate File 3450 introduced by Senator Murphy.

MSCOD was created in 1973 to advise state agencies on matters pertaining to public policy and the administration of programs, services and facilities for persons with disabilities. Since then, MSCOD has worked on important to individuals with disabilities.

Access to accessible transportation is critical for individuals with disabilities. Sen. Murphy's bill will provide protections for individual with disabilities who reside within the Metropolitan Area Taxing District. The bill maintains the current service area for special transportation services thus enabling individuals with disabilities who need access to accessible transportation to remain in their community. At a time when accessible housing is being build in many third-ring suburbs, this bill provides assurance that accessible transportation to this accessible housing will be maintained, unless altered by the legislature.

Thank you for your consideration of S.F. 3450. If there is any disability-related technical assistance or information we can provide to your office, please do not hesitate to contact MSCOD. Further, if you have any questions regarding this legislation please contact Nadia Facey at 651.296.3478 or nadia.facey@state.mn.us.

Very truly yours,

Joan Willshire
Executive Director

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121 East 7th Place, Suite 107
St. Paul, Minnesota 55101

Nation-Wide Helmet Statistics

- More than 3.5 million children 14 and under suffer medically treated sports injuries each year.
- Nearly 50 percent of children 14 and under hospitalized for bicycle-related injuries are diagnosed with a brain injury.
- In 2003, nearly 285,600 children ages 14 and under were treated in hospital emergency rooms for bike related injuries.
- Universal bicycle helmet use by children ages 4 to 15 would prevent 39,000 to 45,000 head injuries, and 18,000 to 55,000 scalp and face injuries annually.
- The majority of children (70 percent) between the ages of 5 and 14 years ride bicycles.
- Children ages 14 and under are five times more likely to sustain injuries in a bicycle-related crash than any other age group.
- Any child who rides without a bicycle helmet increases his/her risk of sustaining a head injury in a crash, and increases the risk of being involved in a fatal crash by 14 times.
- Children under age 10 are at higher risk of serious injury, including head injuries.
- No more than 25 percent of child bicyclists use bicycle helmets, although statistics show the helmet can drastically reduce the risk of death and injury and the severity of injury.
- Bicycle helmets can reduce the risk of a head injury by 85 percent and brain injury by 88 percent.
- The estimated cost of bicycle-related injuries and deaths (for all ages) is \$8 billion.
- It is expensive to treat bicycle-related head injuries because these injuries can endure throughout a lifetime.
- Every \$10 bike helmet saves this country \$30 in direct health costs, and an additional \$365 in societal costs.
- If 85 percent of all child bicyclists wore helmets every time they rode a bicycle for a year, the lifetime medical cost savings would total \$109 to \$142 million.

Minnesota Helmet Statistics

- The Brain Injury Association of Minnesota is sponsoring a helmet drive
- Between 2000 and 2002, 28 people were killed in bicycle related accidents
- Between 2000 and 2002, 2,020 people were injured in bicycle related accidents
 - a. These data reflect a strong trend of nearly 1,000 injuries and ten deaths per year in Minnesota

**Senate Counsel, Research,
and Fiscal Analysis**

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Senate

State of Minnesota

**S.F. No. 3450 - Metropolitan Council Special Transportation
Service Requirements Duties Expansion**

Author: Senator Steve Murphy

Prepared by: Krista Boyd, Fiscal Analyst (651/296-7681) *KB*
Bonnie Berezovsky, Senate Counsel (651/296-9191) *BB*

Date: March 23, 2006

Section 1 requires the Metropolitan Council to ensure that the geographic service area of the Metro Mobility special transportation service is continuous within the transit taxing district's boundaries.

KB/BB:rer

Senator Murphy introduced-

S.F. No. 3450: Referred to the Committee on Transportation.

1.2 A bill for an act
 1.3 relating to metropolitan government; governing special transportation service
 1.4 requirements; amending Minnesota Statutes 2004, section 473.386, subdivision
 3.

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

1.6 Section 1. Minnesota Statutes 2004, section 473.386, subdivision 3, is amended to read:

1.7 Subd. 3. **Duties of council.** In implementing the special transportation service, the
 1.8 council shall:

1.9 (a) encourage participation in the service by public, private, and private nonprofit
 1.10 providers of special transportation currently receiving capital or operating assistance
 1.11 from a public agency;

1.12 (b) contract with public, private, and private nonprofit providers that have
 1.13 demonstrated their ability to effectively provide service at a reasonable cost;

1.14 (c) encourage individuals using special transportation to use the type of service
 1.15 most appropriate to their particular needs;

1.16 (d) ensure that all persons providing special transportation service receive equitable
 1.17 treatment in the allocation of the ridership;

1.18 (e) encourage shared rides to the greatest extent practicable;

1.19 (f) encourage public agencies that provide transportation to eligible individuals as a
 1.20 component of human services and educational programs to coordinate with this service
 1.21 and to allow reimbursement for transportation provided through the service at rates that
 1.22 reflect the public cost of providing that transportation;

1.23 (g) establish criteria to be used in determining individual eligibility for special
 1.24 transportation services;

2.1 (h) consult with the Transportation Accessibility Advisory Committee in a timely
2.2 manner before changes are made in the provision of special transportation services,
2.3 including, but not limited to, changes in policies affecting the matters subject to hearing
2.4 under subdivision 2;

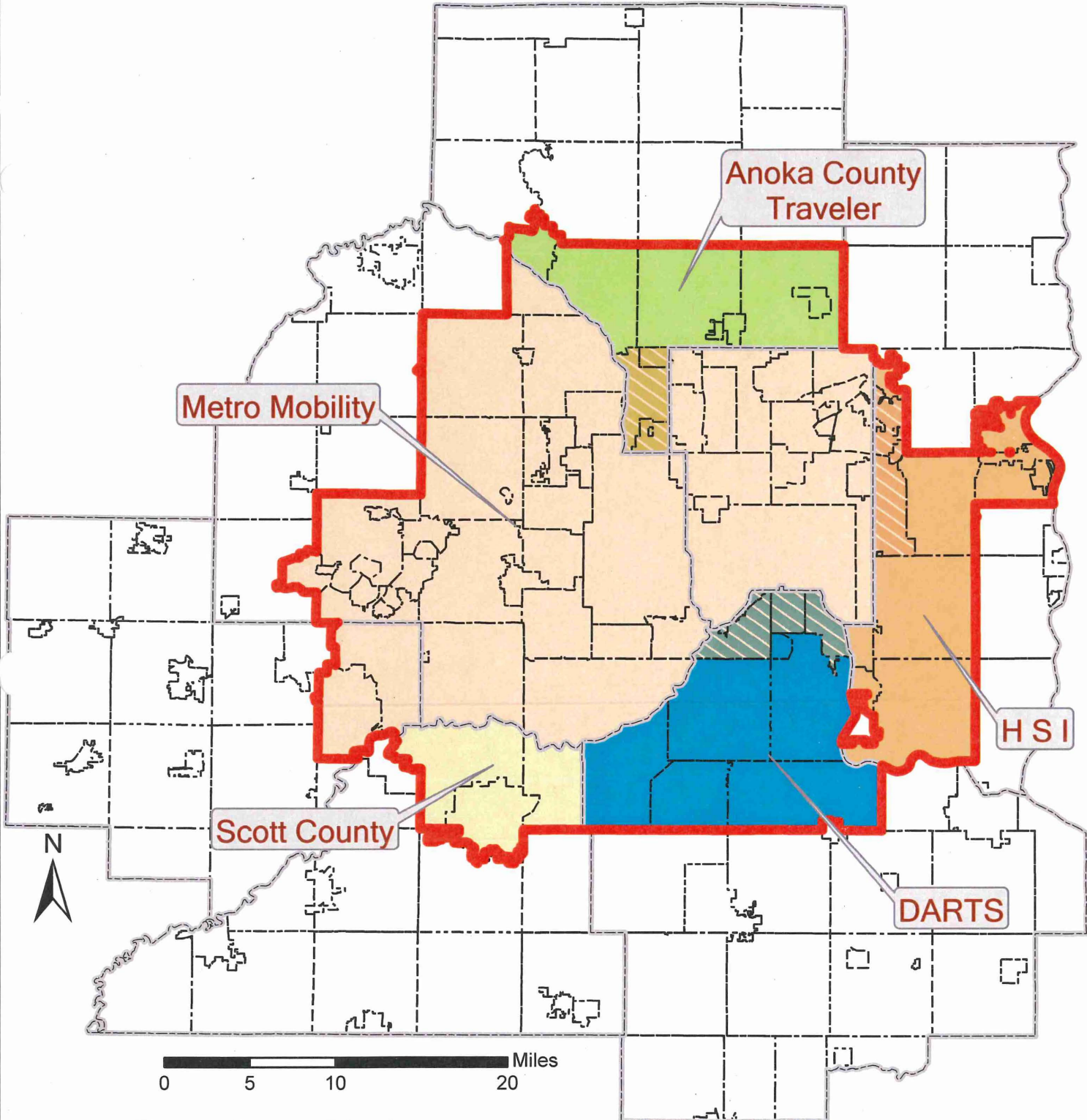
2.5 (i) provide for effective administration and enforcement of council policies and
2.6 standards; ~~and~~

2.7 (j) annually evaluate providers of special transportation service to ensure compliance
2.8 with the standards established for the program; and

2.9 (k) ensure that, taken as a whole including contracts with public, private, and private
2.10 nonprofit providers, the geographic coverage area of the special transportation service
2.11 is continuous within the boundaries of the transit taxing district, as defined in section
2.12 473.446, subdivision 2.

Metro Mobility Service Area

(E)



— Transit Taxing District

Areas Served by Two Providers:

-  HSI and Metro Mobility
-  Anoka County Traveler and Metro Mobility
-  DARTS and Metro Mobility

C:\transit_aud\metro_r...ity.mxd

2005-2006 MN-CCD Members

- Accessible Space, Inc
- Advocating Change Together
- Alliance Healthcare
- Arc Great Rivers
- Arc Hennepin-Carver
- The Arc of Minnesota
- ARRM
- Assistive Technology of Minnesota
- AXIS Healthcare
- Brain Injury Association of Minnesota
- Children's Mental Health Partnership
- CILNM
- Courage Center
- Disability Services-Hamline University
- Fraser
- Freedom Resource for Independent Living, Inc.
- Gillette Children's Specialty Healthcare
- Hemophilia Foundation of Minnesota
- IAPSRS-MN
- Independent Lifestyles, Inc.
- PSII Inc.
- Lifetrack Resources
- Mental Health Association of Minnesota
- Mental Health Legislative Network
- Metro Work Center, Inc.
- Metropolitan Center for Independent Living, Inc.
- Minnesota Association of Community Mental Health Programs
- Minnesota Association of Community Rehabilitation Organizations
- Minnesota Association-Self Help for Hard of Hearing
- Minnesota Disability Law Center
- Minnesota Habilitation Coalition
- Minnesota HomeCare Association
- Minnesota State Council on Disability
- NAMI-MN
- National Multiple Sclerosis Society-Minnesota Chapter
- Pacer Center
- State Advisory Council on Mental Health
- Southwestern Center for Independent Living
- STAR Program
- United Cerebral Palsy of Minnesota

Maintaining transit services for people with disabilities – SF 3450

In recent years, the 7-County Metro Area's paratransit service for people with disabilities, Metro Mobility, has provided a record number of rides with fewer trip denials and customer complaints than at any time in the program's history. This at a time when more and more Minnesotans with disabilities are relying on the system to go to and from work.

In 2005 the Metropolitan Council proposed a 10 percent cut in the program's funding. As a result Lino Lakes, Lake Elmo, Stillwater, Baytown Township, Cottage Grove would have had no Metro Mobility service. Eleven additional suburbs would have lost more than half the current service area, and another 12 cities would have lost a portion of their service. In all, 28 metro communities would have seen significant reductions in service. Ultimately, the council was able to find the means to avoid making these cuts to the Metro Mobility service area.

Senate File 3450 protects the status quo for people with disabilities and preserves their independence to be productive, integrated members of their home communities. It ensures that Metro Mobility transit services would be maintained for people with disabilities in the communities identified in statute as a part of the Metropolitan Area Taxing District.

Many of the communities that would have seen cuts in 2005 are the outer suburbs of the Twin Cities. These are also many of the same communities that have seen substantial growth in wheelchair accessible housing for people with disabilities over the past ten years. The lack of affordable and accessible housing for people with disabilities remains a significant challenge.

Because the Metropolitan Council threatened to reduce the service area last year, it has made some housing developers for people with disabilities think twice about building in an area that could see an elimination of transit services. This bill reaffirms the Minnesota Legislature's ongoing commitment to provide transit services for people with disabilities in the existing service area and would prevent the Metropolitan Council from administratively reducing the service area.