



Minnesota Regional Transit  
Board: Records.

**Copyright Notice:**

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit [www.mnhs.org/copyright](http://www.mnhs.org/copyright).



**REGIONAL TRANSIT BOARD**

Mears Park Centre  
230 East 5th Street  
St. Paul, Minnesota 55101  
612/292-8789

## **MEETING OF THE REGIONAL TRANSIT BOARD**

Monday, May 8, 1989  
Mears Park Centre, Room A

### **AMENDED AGENDA**

1. Call to Order and Roll Call
2. Oath of Office for New Member
3. Approval of Agenda
4. Approval of Board Meeting Minutes April 17, 1989
5. Resolution of Appreciation for Lori Yager, Resolution No. 89-13
6. **CONSENT LIST**
7. **REPORT OF THE POLICY COMMITTEE**  
Doris Caranicas, Chair
8. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**  
Ruth Franklin, Chair
9. **OTHER BUSINESS:**
  - A. Chairman's Report:
  - B. Members Reports
  - C. Advisory Committee Reports
  - D. Staff Reports
  - E. Public Comment

Elliott Perovich  
Chairman



RESOLUTION NO. 89-13

RESOLUTION OF APPRECIATION

- WHEREAS, Lori Yager has been employed as Accountant at the Regional Transit Board since June 30, 1986; and
- WHEREAS, Lori Yager has resigned her position at the Regional Transit Board to accept a position as Accountant with Anoka County; and
- WHEREAS, Lori Yager is recognized for her many accomplishments at the Regional Transit Board, among them the preparation of financial statements, assisting in the annual budget preparations, assisting in the conversion to the new accounting system, and coordinating the work of the bookkeeper;

NOW, THEREFORE, BE IT RESOLVED

THAT the Regional Transit Board express its sincere gratitude and appreciation to Lori Yager for her service to the agency; and

THAT the Regional Transit Board express its best wishes to Lori Yager in her future endeavors.

Adopted this 8th day of May, 1989.

\_\_\_\_\_  
Elliott Perovich, Chairman

\_\_\_\_\_  
Mary Fitzgerald, Secretary



**MEETING OF THE REGIONAL TRANSIT BOARD**

Monday, May 8, 1989  
Mears Park Centre, Room A

**AGENDA**

1. Call to Order and Roll Call
2. Oath of Office for New Member
3. Approval of Agenda
4. Approval of Board Meeting Minutes April 17, 1989
5. **CONSENT LIST**
6. **REPORT OF THE POLICY COMMITTEE**  
Doris Caranicas, Chair
7. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**  
Ruth Franklin, Chair
8. **OTHER BUSINESS:**
  - A. Chairman's Report:
  - B. Members Reports
  - C. Advisory Committee Reports
  - D. Staff Reports
  - E. Public Comment

Elliott Perovich  
Chairman

**REGIONAL TRANSIT BOARD**  
**ROLL CALL AND ATTENDANCE SHEET**

Date: 5/8/89

BOARD OR COMMITTEE: Board

<u>Member Name</u>	<u>Present</u>	<u>89-13</u> <u>Vote</u>	<u>Vote</u>	<u>Vote</u>	<u>Staff Present</u>
Chair	✓	✓	abs.		GA MF JH MK DU LY AB EK R.S. E.D. H.B.
James Brimeyer	✓	✓	y		
Doris Carantcas					
Ruth Franklin	✓	✓	y		
Garole Faricy					
Rochelle Graves	✓		y		
George Isaacs	✓	✓	no		
Paul Joyce	✓	✓	y		
Ed Kranz		✓	y		

**Visitors:**

Tom Satre / Grindel  
Matt Peterson  
Emil Brant  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101

*Amended - see  
book*

Minutes of the Meeting of the  
**REGIONAL TRANSIT BOARD**  
Mears Park Centre Chambers  
April 17, 1989

**BOARD MEMBERS PRESENT:** Elliott Perovich, Chairman; Doris Caranicas; Ruth Franklin, Carole Faricy; Alison Fuhr; Rochelle Graves; Paul Joyce

**MEMBERS ABSENT:** George Isaacs and Ed Kranz

**OTHERS PRESENT:** Gregory Andrews, Judy Hollander, Dale Ulrich, Katie Turnbull, Liz Carpenter, Suzanne Hanson, Howard Blin, Dave Jacobsen, Randy Rosvold, Mike Kuehn, Regional Transit Board staff; Dirk deVries, Metropolitan Council Liaison; Gregory L. Korstad, RTB legal counsel; Theresa Robinson, Minneapolis Community Development; Arnie Entzel, Amalgamated Transit Union

The meeting was called to order at 4:00 p.m. and roll taken.

Caranicas moved and Franklin seconded approval of the minutes of the April 3, 1989 board meeting. The motion carried unanimously.

Caranicas moved and Joyce seconded approval of the Policy Committee minutes of January 30, February 17, February 21 and March 20, 1989. The motion was unanimously approved.

**RESOLUTION OF APPRECIATION FOR CINDY FISH, RESOLUTION NO. 89-07**

Franklin moved and Joyce seconded approval of the resolution. On a roll call vote, the motion was unanimously approved.

**RESOLUTION OF APPRECIATION FOR KATHERINE TURNBULL, RESOLUTION NO. 89-08**

Fuhr moved and Caranicas seconded approval of Resolution No. 89-08. On a roll call vote, the motion was unanimously approved. Franklin said, on a personal note, that she will miss Katie very much. It is a joy to work with her, and we wish her well. The chairman said it will be especially hard to replace her, but someday soon she will run a major transit system.

**RESOLUTION OF APPRECIATION FOR MARK RYAN, RESOLUTION NO. 89-09**

Caranicas moved and Joyce seconded approval of Resolution No. 89-09. On a roll call vote, the resolution was unanimously approved.

**RESOLUTION OF APPRECIATION FOR JANICE HENNINGS, RESOLUTION NO. 89-10**

Fuhr moved and Caranicas seconded approval of Resolution No. 89-10. On a roll call vote, the resolution was unanimously approved.

REPORT OF THE POLICY COMMITTEE MEETING

**ANOKA COUNTY COMPREHENSIVE LIGHT RAIL TRANSIT (LRT) SYSTEM PLAN**

Committee Chair Caranicas reported on the joint meeting with the Metropolitan Council's Metro Systems Committee on Tuesday, April 4, which was held to receive public testimony on the proposed system plan. Caranicas moved and Franklin seconded:

That the Regional Transit Board approve the comments included in the April 6, 1989 staff report on the Anoka County Comprehensive Light Rail Transit System Plan for transmittal to the Anoka County Regional Railroad Authority.

The motion was unanimously approved.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Committee Chair Franklin reviewed the report of the committee meeting of April 3, 1989.

**FINANCIAL STATEMENTS - JANUARY 1989**

Franklin moved and Caranicas seconded:

That the Regional Transit Board receive the January 1989 financial statements and direct that they be placed on file.

The motion was unanimously approved.

**FINANCIAL STATEMENTS - FEBRUARY 1989**

Franklin moved and Caranicas seconded:

That the Regional Transit Board receive the February 1989 financial statements and direct that they be placed on file.

The motion was unanimously approved.

**REVIEW OF MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA) GRANT APPLICATION**

Franklin moved and Caranicas seconded:

That the Regional Transit Board:

1. Approve the Minneapolis Alternative Fuel Initiative Grant Application to UMTA;
2. Approve amending the 1989-1991 Transportation Improvement Plan to include the Minneapolis Alternative Fuel Initiative project.

Theresa Cunningham, Minneapolis Community Development Agency, distributed the April 14 letter from James Heltzer, recommending that the UMTA grant request be increased from \$1,074,750 to \$1,326,238. After discussion, Caranicas moved that the first motion be reconsidered; Fuhr seconded the motion. In response to Joyce's question, Cunningham said the additional costs were not included in the first application, but later it was discovered that they could be charged in the project. The chances are good that the application will be approved because generally UMTA does not ask for extensive paperwork unless they are favorably considering an application.

Hollander said RTB considers this a valuable opportunity to test alternative fuels; however, at a recent Transportation Advisory Board (TAB) meeting a number of issues were raised on how the project fits with other transit modes. There is no reason for the board to alter its approval, but based on the concerns of TAB's Technical Advisory Committee, the board should draft a letter expressing those concerns. The Minnesota Pollution Control Agency is offended that it was not notified of the program and suspects that fuel savings may be overstated. RTB's concerns are with the fares as they relate to the time zones and the routing. Franklin said she would appreciate a response to these questions for the next TAB meeting. She moved:

That the Regional Transit Board:

1. Approve the amended Minneapolis Alternative Fuel Initiative Grant Application to UMTA outlined in the April 14, 1989 letter from Minneapolis Community Development Agency
2. Approve amending the 1989-1991 Transportation Improvement Plan to include the amended Minneapolis Alternative Fuel Initiative project; and
3. Direct staff to write a letter addressing the board's concerns and offering assistance to the Minneapolis Community Development Agency.

The motion was unanimously approved.

**RTB REVIEW OF MINNESOTA DEPARTMENT OF TRANSPORTATION (MN/DOT)  
LIGHT RAIL TRANSIT APPLICATIONS--PHASE II**

Franklin moved and Joyce seconded:

That the Regional Transit Board recommend to the Minnesota Department of Transportation that funding be authorized for the second set of LRT applications in the following amounts:

Washington County	\$40,000
Carver County	\$3,000
Anoka County	\$120,320

The board further recommends that Mn/DOT authorize Anoka County to use unspent planning funds from the earlier allocation for preliminary engineering.

The motion was unanimously approved.

**UMTA GRANT APPLICATION FOR SPECIAL EVENTS PLANNING, RESOLUTION  
NO. 89-06**

Franklin moved and Caranicas seconded:

That the Regional Transit Board approve Resolution No. 89-06 authorizing the submittal of a Section 8 grant application to the Urban Mass Transportation Administration and request the Metropolitan Council to approve an amendment to the Unified Planning and Work Program.

On a roll call vote, the motion was unanimously approved.

#### LIGHT RAIL TRANSIT COMMUNICATIONS STRATEGY

Hanson reviewed the staff report on cost and priorities that the committee requested in the meeting of April 3. Joyce said the strategy is very sound because the polling effort has had very positive results. There is a great deal of misinformation circulating and this program should be started as soon as possible as a public service. In response to Faricy's questions about the total Public Information budget, Hanson said the board has approved \$249,000 for the Public Information Office for the period ending June 1981. It contained \$15,000 for LRT with a footnote to hire an LRT public affairs specialist and a person for LRT work. Responding to Faricy, Hanson said there are 742 hours for priority tasks in the LRT plan, which will run into 1990.

Faricy inquired about the status of the light rail vehicle demonstration project. The chairman said it would cost about \$80,000 to ship a light rail vehicle to this area for the proposed LRT demonstration at Lake Harriett. At present the project is on hold. (Graves arrived.)

Faricy said the request is for a lot of money and questioned how fast RTB should move on these projects with the uncertain situation at the Legislature. Andrews said when the original program was prepared it was based on the light rail responsibilities the board had at that time. Now, based on the discussions with lawmakers, the board may play a bigger role and needs more money to educate the groups staff identified. The LRT program and the entire 1989 Public Information program must be reconsidered and the board may be asked to approve more budget amendments. Faricy said those amendments must be for increases in funds because there is not enough staff to accomplish this program.

Referring to the special events category, Franklin said the board is required by the Legislature to hold an annual transit conference. She suggested that a portion of that conference be devoted exclusively to light rail. Perovich said he wants a major national LRT conference, involving the RTB and Center for Transportation Studies. Richard Braun is interested in co-sponsoring it and will look for funding. Other than property taxes, there is no issue on which legislators are asking for as much information. They were very excited about the brochures. The elements of the program are the result of a lot of time spent by Paul Joyce, George Isaacs and the staff.

There was discussion of the proposed amendment that would prohibit counties from levying any taxes for light rail and its effect on the grant application to UMTA for \$24,000,000. Perovich said Hennepin County is levying eight-tenths of a mill now and has enough money to leverage bonds. Franklin said bonding takes a long time and right now there is only \$11,000,000 identified. Fuhr said regular route transit needs must also be met.

Joyce moved and Caranicas seconded:

That the Regional Transit Board approve the April 11, 1989 LRT communications strategy and grant approval to enter into an agreement with Media Rare for an amount not to exceed \$55,950 for assistance through June 30, 1990 on LRT communications.

The motion was unanimously approved.

Franklin said the next meeting of the committee will be May 1 unless the board meeting is changed to May 8.

#### CONSULTANT ASSISTANCE FOR DEVELOPMENT OF IMPLEMENTATION PLAN

Hollander distributed her April 17 memorandum requesting board approval for a contract with Stigar-Roscoe-Fausch, Inc. The two people most closely involved in developing the plan are leaving the agency and, because of the firm's experience in developing the RTB's Interim Implementation Plan, they could step in quickly and efficiently. The day-to-day staff coordinator for the plan will be Howard Blin, while Hollander will do the overall policy development.

The strategy is to involve interested agencies and individuals in the early stages of the development of the plan. Final approval of the Implementation Plan will be in early August, with submission to the Metropolitan Council on August 15. Fuhr said each of the members should be involved in the community meetings. Hollander said members are welcome, but the document is not yet an official board plan. Joyce said the process should be followed, with issues handled at the committee level after staff has done its work. Franklin moved and Caranicas seconded:

That the Regional Transit Board authorize its executive director to execute a contract with the firm of Strgar-Roscoe-Fausch to assist in the development of the Implementation Plan in an amount not to exceed \$25,000.

In response to the chairman's comment that the board may play a bigger role in light rail planning, Hollander said one of the things that could happen is a change in direction. At the end of the legislative session in late May, the board may wish to delay the schedule to accommodate a new situation. The motion was unanimously approved.

#### OTHER BUSINESS:

Andrews distributed copies of S.F. 1202-1 and H.F. 1408-1 and Kuehn reviewed the progress of the legislation effecting the board. Graves commented that in a conversation with Rep. MacLaughlin on April 15, she told him all the bills should be dropped and a new effort started. She is concerned that elected officials will not have enough time to talk about transit because of their many other commitments. Fuhr questioned the rationale for creating a separate planning board. Perovich said he told legislators that such a board would create another level of government.

There was discussion of the Metro Mobility Recertification Program. Faricy said there have been strong indications that the RTB's consultant on the criteria would lobby against the board's position. Perovich said Michael Ehrlichman is concerned about people left out of the system who cannot get rides, the majority of whom receive welfare assistance. Ken Tyson has been trying to get a year-long study of the Human Services questions. Faricy said Ehrlichman was hired to lobby for the board and may be speaking for other positions. Perovich said Ehrlichman has been very supportive. Faricy asked for information on the number of Metro Mobility trip denials per month.

The chairman said Caranicas has had some concerns about his testimony to the Legislature. The tapes of his testimony are available and might be interesting to the members. He testified on the board's position that the RTB should continue, RTB approval of light rail plans, and funds for light rail coming to RTB. Senator Novak raised the question of continuation of the board. Perovich reacted against a joint board, pointing out that one individual could serve on all three bodies. Perovich recommended to Novak that he consider having the council appoint eight members and the governor, three.

The chairman said he was embarrassed last week at the Local and Urban Affairs meeting because members of RTB's law firm were there lobbying against the board. Faricy asked if Ehrlichman lobbied for the board; Perovich said he did and all of the disabled community have been very supportive. When the question of legal representation first came up, Charles Weaver said it was a conflict for him. Faricy said most of the Minneapolis law firms have a portion of the Hennepin County LRT business. Perovich said it is Andrews' responsibility to recommend who should be legal counsel.

Franklin asked for clarification of the statement that the Larkin people lobbied against the RTB. Perovich said the firm lobbied against the role of the RTB, approval of plans and the funding; Kuehn added that Larkin is lobbying against regional coordination. Joyce said this is a real conflict; it seems the present firm is at the end of the road. Perovich said he does not know what the ethics are in this situation.

Korstad said he has not been privy to the contractual relationship, but he has done a great deal of legal work for RTB. For the last two years Larkin provided legal services, but not lobbying. In the

opinion of the law firm, it is not a conflict to provide legal services on day-to-day legal affairs and still provide lobbying assistance to Hennepin County Regional Railroad Authority since they have not been asked to do so for RTB on the same or similar issues. Larkin carefully works out these kinds of arrangements within the firm and would have acted differently if it had a different role with the RTB. If they had been hired to provide lobbying services, they would have had to decide whether to work for the rail authority or terminate the RTB relationship. Graves said she does not recall approving a legal contract with Larkin. Franklin said there was a contract last year that was not used. Perovich said there was never a lobbying contract with Larkin or Holmes and Graven, although Larkin was used to draft amendments to legislation last year as part of the legal representation contract. Weaver was used on an "as needed" basis. Standing meetings were set up, but Weaver did not always attend them.

In response to Fuhr's question, Korstad explained the organization of the law firm. His impression is that the firm has not done a significant amount of lobbying for RTB in the last two years. Last year they were called in at the last minute on a floor campaign. Perovich said he did not raise the issue for the purpose of recommending that the board not do business with Larkin, but the board must deal with the perception at the Capitol.

#### **CHAIRMAN'S REPORT**

##### **Metropolitan Transit Commission and Rideshare Advisory Committee Liaison**

Fuhr moved and Caranicas seconded:

That the Regional Transit Board approve the following appointments:

Rochelle Graves, Metropolitan Transit Commission Liaison  
Paul Joyce, Rideshare Advisory Committee Liaison

The appointments are effective upon confirmation by the board.

The motion was unanimously approved.

#### **MEMBERS REPORTS**

Caranicas said "Some members of the board have heard that the chairman of the board has made derogatory and insulting remarks about the Metropolitan Council and the RTB. These persistent rumors require a response. The chairman's apparent lack of consideration for the reputation of the board and its members is regrettable and we request an apology for these remarks."

The chairman said he has already responded and members should listen to the tapes of the hearing. He did not make derogatory remarks about the Metropolitan Council although he has been unhappy about their lack of support. In their report on transit options there was no mention of continuing the RTB. He wants to ensure that this agency continues to exist and RTB has not had much help from the Metropolitan Council. The chairman said that if he had a problem he would not have recommended last week that the council continue to make the board appointments. Fuhr agreed that the council has not given much support to RTB.

deVries said the council members discussed the LRT bill in depth during their work sessions on April 14 and 15. The chair and lobbyists were directed to lobby against both bills because there is a perception that they have not been communicating the members' position to the lawmakers. It was clear that members do not support the legislation and think it should be stopped. The feeling is that only the council can determine if a plan conforms to all the other regional plans. Members also discussed whether elected officials have the time to study the issues. Appointees put in a lot of time sorting out issues. This is an attack on regional government. The Citizens League said the council is becoming irrelevant and this will drive in the few remaining nails.

Perovich said he has heard Steve Keefe state that the council should approve LRT plans and express concern because elected officials do not apply for appointment to regional agency boards. In response to Graves' question on whether or not the council has been supportive, Perovich said the council took the position that the RTB should not be the agency that approves LRT plans although the board's legislative program calls for RTB review and approval of plans, which then would become part of RTB's Implementation Plan. deVries said the council would no longer have approval authority. Perovich disagreed, because the council must approve the RTB Implementation Plan. During the transition team study in 1984, the council supported the RTB.

Joyce said he would support removing both the House and Senate bill and going through a study. Joyce moved and Graves seconded that the RTB support the Metropolitan Council's position.

Franklin asked if the intent of the motion is to keep the present structure of the RTB and recommend a study that will develop some form of reorganization as needed. Joyce said the motion is only to support the council's position. Fuhr said she would vote against such a motion. Senator Novak had good intentions and was a co-author of the original legislation creating the Regional Transit Board. This is a simple matter of RTB approving the rail authorities' material and going to the council.

deVries said he is not asking for a motion; only communicating last week's activities. Franklin said she would like more information on the council's position. Specifying that one member must be handicapped and another be 65 years of age or older is not necessarily in the best interests of transit. Perovich agreed, adding that another stipulation is that the number of members from one political party would be limited. He suggested that members call Rep. Carruthers or Senator Novak to express their concerns, but cautioned them against taking a position against either of the bills.

The chairman said he will testify for the board's position on the bills, but feels he has to testify personally about his own concerns on those issues.

Joyce said his concern is that history not be forgotten; it is unfortunate that people do not remember the early days of the Metropolitan Transit Commission. He withdrew his motion; Graves withdrew her second.

#### STAFF REPORTS

In response to Andrews' request, Joyce moved and Graves seconded:

That the Regional Transit Board change the dates of its regularly scheduled board meetings in May to :

Board Meeting	May 8, 1989
Administration and Finance Committee Meeting	May 8, 1989
Special Policy Committee Meeting	May 15, 1989
Board Meeting	May 22, 1989
Policy Committee Meeting	May 22, 1989

The motion was unanimously approved.

Andrews reported on the status of the employee complement and on the Rep. Jefferson bill regarding small business set-aside. The attorney general is asking for a bill to resolve the questions created by the Supreme Court. The metro agencies are monitoring the situation closely.

There being no other business, Fuhr moved and Graves seconded that the meeting be adjourned. The motion carried and the meeting was adjourned at 7:01 p.m.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved by the Board \_\_\_\_\_, 1989.

## REGIONAL TRANSIT BOARD

Mears Park Centre  
230 East Fifth Street, St. Paul, Minnesota 55101  
292-8789

**DATE:** April 24, 1989  
**TO:** Regional Transit Board  
**FROM:** Elliott Perovich, Chairman  
**SUBJECT:** Consent List

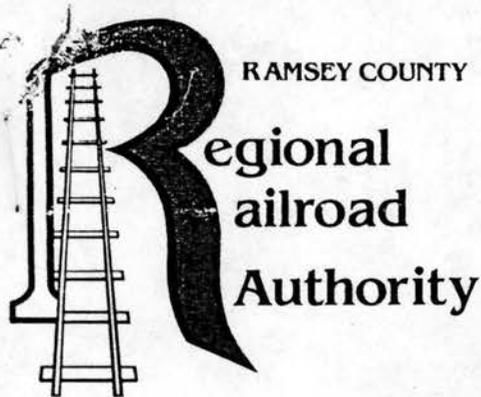
The following comprehensive plan amendment has been reviewed by the staff and chairman of the Regional Transit Board (RTB). In my opinion, the amendment meets the standards of consent referrals adopted by the Board.

### Columbus Township Comprehensive Plan Amendment

Columbus Township is requesting Metropolitan Council approval to change the land use designation of property totaling 244 acres located at the intersection of I-35 and CSAH 23 in the vicinity of the junction of I-35W and I-35E. The property would be redesignated from commercial/industrial to commercial/recreational.

After review of the amendment, the RTB finds no significant impact on transit.

EP:HB:jmo



cc Bd  
John T. Finley, Chairman  
District 3  
Diane Ahrens  
District 4  
Ruby Hunt  
District 5  
Duane W. McCarty  
District 1  
Hal Norgard  
District 7  
Donald E. Salverda  
District 2  
Warren W. Schaber  
District 6

Room 316 Courthouse  
15 W. Kellogg Blvd.  
St. Paul, MN 55102  
Phone 298-4145

MEMORANDUM

**TO:** Representative Phil Carruthers, Senator Steve Novak  
Members of Ramsey County Legislative Delegation

**FROM:** John T. Finley, Chairman  
Ramsey County Regional Railroad Authority

**DATE:** May 4, 1989

Ramsey County Regional Railroad Authority has taken a position on legislation relating to light rail transit and regional railroad authorities. That position is:

- o We support joint powers legislation for regional railroad authorities.
- o We support having the legislature request that a plan for light rail transit coordination be prepared by the regional railroad authorities and metro agencies. It should be submitted at the next legislative session.

Because the bills introduced by Senator Steve Novak and Representative Phil Carruthers address issues other than these, we have also taken the position that we support some aspects of those bills and have concerns about other elements of those bills.

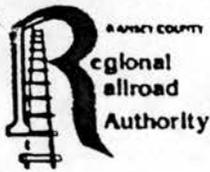
- o We support having the light rail transit planning board comprised primarily of elected officials. We request, however, that the elected officials be appointed by their respective governing bodies.
- o We support having no more than one regional agency with approval power over regional railroad authorities' grants and plans.
- o We support specifying that the Metropolitan Transit Commission operate light rail transit.
- o We are concerned that the timetable for light rail transit planning work specified in H.F. 1408 is ambitious and cannot be met within the time specified.

A resolution to this effect was passed on May 2, 1989 and is attached.

JTF/clm

Attachment

cc: Ramsey County Commissioners  
Metropolitan County Regional Railroad Authority Chairmen  
Commissioner John Derus  
Carolyn Cochrane  
Steve Keefe  
Elliott Perovich  
Bob Orth



# Resolution Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: May 2, 1989

No. R89-20

WHEREAS, Ramsey County Regional Railroad Authority has previously taken a position supporting legislation that would permit joint powers agreements between regional railroad authorities; Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority supports legislation requesting metropolitan regional railroad authorities, the Regional Transit Board, Metropolitan Transit Commission and Metropolitan Council to develop a plan for light rail transit coordination and report on that plan at the next session of the legislature. If that does not occur, the Ramsey County Regional Railroad Authority believes that any legislation should include the following:

- o No more than one regional agency should have approval power over regional railroad authority grants and plans.
- o Elected officials on the governing board of regional agencies should be appointed by their respective governing bodies.
- o A light rail transit planning board should be comprised of a majority of elected officials, as long as the majority portion of funds for their work is supported by those units of government.
- o Expanding the Metropolitan Transit Commission from three to five members is supported.
- o Specifying that the Metropolitan Transit Commission operate any light rail transit system is supported.
- o Distribution of state light rail transit funds should be made by the Minnesota Department of Transportation, and only that unit of government should have approval powers over the award of those funds.
- o The timetable for light rail transit planning work specified in H.F. 1408 is overly ambitious and cannot be met within the time constraints of the legislature.

John T. Finley, Chairman

By Warren W. Schaber, Secretary

EX A  
5/8/89  
DRAFT

A RESOLUTION EXPRESSING CONSENSUS ON THE  
1989 LEGISLATIVE AGENDA OF THE REGIONAL TRANSIT BOARD  
IN RELATION TO AGENCY RETENTION AND LIGHT RAIL TRANSIT PLANNING

WHEREAS, the Regional Transit Board was created by the Minnesota Legislature under Minn. Stat. § 473.371 for the purpose of fulfilling the following goals:

- (a) to provide, to the greatest feasible extent, a basic level of mobility for all people in the metropolitan area;
- (b) to arrange to the greatest feasible extent for the provision of a comprehensive set of transit and paratransit services to meet the needs of all people in the metropolitan area;
- (c) to cooperate with private and public transit providers to assure the most efficient and coordinated use of existing and planned transit resources; and
- (d) to maintain public mobility in the event of emergencies or energy shortages; and,

WHEREAS, the current membership of the Regional Transit Board believes that the philosophy for creation and the goals established for a Regional Transit Board are being met; and,

WHEREAS, the current Board believes there is a need for regional coordination in providing essential mobility and transportation options in the metropolitan area as well as a need to foster effective delivery of transit services, to encourage innovation in transit service, to prepare implementation and financial plans for the metropolitan transit system, to set policies and standards for implementing transit policies and programs, to conduct transit research and evaluation, and to administer state and metropolitan transit subsidies; and,

WHEREAS, the Governor did not recommend funding for the Regional Transit Board in his budget request for the 1990-91 biennium; and,

WHEREAS, two separate proposals are currently before the legislature as H.F. 1408 and S.F. 1202; and,

WHEREAS, there exists differences between the two legislative proposals with regard to the Regional Transit Board, its function, membership and membership composition, function in relation to Light Rail Transit, light rail operations, transit funds, taxation, and coordination agreements.

NOW, THEREFORE, BE IT RESOLVED that the undersigned current membership of the Regional Transit Board recognizes the need for continued coordination of transit needs and services in the metropolitan area and have endorsed legislation which will preserve said functions.

BE IT FURTHER RESOLVED that the current membership of the Regional Transit Board acknowledges there are positive components in both H.F. 1408 and S.F. 1202. The Board, therefore, subscribes to a position calling for compromise of differences which will ultimately result in the continuation of a strong, reconstituted Regional Transit Board, a board to which the current members acknowledge they may not be appointed.

IN WITNESS WHEREOF, the members of the current board have hereunto set their hands this \_\_\_\_\_ day of May, 1989.

Ex B 5/8

1 This appropriation is to prepare  
2 schematic plans for remodeling and  
3 renovating the center.

4 (l) Thief River Falls Government  
5 Service Center

100,000

6 This appropriation is to prepare  
7 working drawings for a building to  
8 house the resident engineer  
9 construction office, the truck station,  
10 the state patrol district office, and  
11 the department of natural resources  
12 area office.

13 (m) Statewide

14 (1) Remove asbestos from department  
15 buildings and reinsulate pipes

250,000

16 (2) Replace underground storage  
17 tanks or upgrade to EPA standards

750,000

18 (3) Construct or remodel chemical  
19 storage sheds

405,000

20 (4) Acquire land

90,000

21 This appropriation is to acquire land  
22 for truck stations.

23 (n) St. Paul Downtown Airport

400,000

24 This appropriation is from the state  
25 airports fund to acquire an airplane  
26 hangar.

27 Sec. 3. REGIONAL TRANSIT BOARD

28 Subdivision 1. Total

29 Appropriation 24,922,000 24,923,000

30 Summary by Fund

31 General \$ 13,036,000 \$ 12,725,000

32 Transit Assistance \$ 11,886,000 \$ 12,198,000

33 The amounts that may be spent from this  
34 appropriation for each program are  
35 specified in the following subdivisions.

36 If an appropriation in this section for  
37 either year is insufficient, the  
38 appropriation for the other year is  
39 available for it.

40 Subd. 2. Regular Route Service

41 \$ 11,153,000 \$ 11,154,000

42 Subd. 3. Metro Mobility

43 \$ 11,500,000 \$ 11,500,000

44 Subd. 4. Small Urban, Rural, and

1 Replacement Services  
2 \$ 919,000 \$ 919,000  
3 Subd. 5. Planning and Programs  
4 \$ 900,000 \$ 900,000  
5 Subd. 6. Administration  
6 \$ 450,000 \$ 450,000  
7 Sec. 4. TRANSPORTATION  
8 REGULATION BOARD 629,000 609,000  
9 Approved Complement - 9.5  
10 This appropriation is from the trunk  
11 highway fund.  
12 Sec. 5. PUBLIC SAFETY  
13 Subdivision 1. Total  
14 Appropriation 94,774,000 91,214,000  
15 1990 1991  
16 Approved Complement - 1,729.5 1,738.5  
17 General - 394.2 397.2  
18 Special Revenue - 22.5 26.5  
19 Trunk Highway - 1,091.4 1,093.4  
20 Highway User - 172.6 172.6  
21 Federal - 48.8 48.8  
22 The above approved complement includes  
23 531 for state-funded, unclassified  
24 patrol officers and supervisors of the  
25 state patrol. Nothing in this  
26 provision is intended to limit the  
27 authority of the commissioner of public  
28 safety to transfer personnel, with the  
29 approval of the commissioner of  
30 finance, among the various units and  
31 divisions within this section, provided  
32 that the above complement must be  
33 reduced accordingly.  
34 Summary by Fund  
35 General \$ 26,515,000 \$ 23,325,000  
36 For 1989 - \$212,000  
37 Trunk Highway \$ 58,551,000 \$ 57,515,000  
38 Highway User \$ 10,918,000 \$ 11,170,000  
39 Special Revenue \$ 1,679,000 \$ 1,839,000  
40 Transfers to Other  
41 Direct (\$ 2,889,000)(\$ 2,635,000)  
42 The amounts that may be spent from this

1 amended to read:

2 341.10 [LICENSE FEES.]

3 The board shall have authority to collect and require the  
4 payment of a license fee in an amount set by the board from the  
5 owners of franchises or licenses. Notwithstanding section  
6 16A.128, subdivision 1a, the fee is not subject to approval by  
7 the commissioner of finance and need not recover all costs. The  
8 board shall require the payment of the fee at the time of the  
9 issuance of the license or franchise to the owner. The moneys  
10 so derived shall be collected by the board and paid to the state  
11 treasurer. The board shall have authority to license all  
12 boxers, managers, seconds, referees and judges and may require  
13 them to pay a license fee. All moneys collected by the board  
14 from such licenses shall be paid to the state treasurer.

15 Sec. 36. Minnesota Statutes 1988, section 473.384,  
16 subdivision 7, is amended to read:

17 Subd. 7. [MTC IMPACT ASSESSMENT.] Prior to entering into a  
18 contract for operating assistance with a recipient other than  
19 the transit commission the board shall evaluate the effect, if  
20 any, of the contract on the ridership, routes, schedules, fares,  
21 and staffing levels of the existing and proposed service  
22 provided by the commission. A copy of the assessment must be  
23 provided to the commission. The board may enter into the  
24 contract only if it determines that the service to be assisted  
25 under the contract will not impose an undue hardship on the  
26 ridership or financial condition of the commission, ~~or cause the~~  
27 ~~dismissal of persons that are employed by the commission.~~

28 Sec. 37. Minnesota Statutes 1988, section 473.386,  
29 subdivision 4, is amended to read:

30 Subd. 4. [COORDINATION REQUIRED.] The board may not grant  
31 any financial assistance to any recipient that proposes to use  
32 any part of the grant to provide special transportation service  
33 in the metropolitan area unless the program is coordinated with  
34 the board's special transportation service in the manner  
35 determined by the board. The board is not required to provide  
36 funding for transportation services to be used by individuals in

1 conjunction with their participation in human service programs  
2 in which transportation is a required and funded component of  
3 those programs.

4 Sec. 38. [APPLICABILITY.]

5 Section 37 is effective January 1, 1990, in the counties of  
6 Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

7 Sec. 39. [COMMISSIONER TO ACT AS AGENT.]

8 The commissioner of transportation shall act as agent for  
9 the Bois Fort Indian Reservation in the use of federal  
10 demonstration funds and state matching funds for the design and  
11 construction of a proposed highway project in the Lake  
12 Vermillion Indian Reservation Recreational Complex as authorized  
13 in the Surface Transportation and Uniform Relocation Assistance  
14 Act of 1987, Public Law Number 100-17.

15 Sec. 40. [REPORT ON CERTAIN SPECIAL TRANSPORTATION  
16 SERVICES.]

17 Subdivision 1. [SUBJECT.] The commissioner of the state  
18 planning agency shall report to the legislature, by January 1,  
19 1990, on: (1) providing special transportation services in the  
20 metropolitan area for persons traveling on a regular basis,  
21 using standing orders or guaranteed trip requests, to or from  
22 public or private human services agencies or jobs and training  
23 agencies that generate a large number of such trip requests; and  
24 (2) related issues as the commissioner deems appropriate.

25 Subd. 2. [RECOMMENDATIONS.] The report shall include  
26 recommendations on:

27 (1) a service plan that describes a method or methods of  
28 providing the services and an estimate of costs for the  
29 services;

30 (2) the appropriate responsibility of governmental and  
31 other agencies and programs for planning, arranging, providing,  
32 and financing the services;

33 (3) the sources and amounts of public or other funding  
34 available for the services, apart from the funds available to  
35 the regional transit board, and a method or methods of providing  
36 the public or other funding required to subsidize the services;

E D

State of Minnesota  
HOUSE OF REPRESENTATIVES

SEVENTY-SIXTH }  
SESSION

H. F.

No. 1408



Introduced by Carruthers, Battaglia, Kalis, Onnen and McLaughlin.  
Read First Time Mar. 28, 1989 and Referred to the Committee on Transportation.  
Committee Recommendation and Adoption of Report:  
To Pass as Amended and Re-referred to the Committee on  
Local Government and Metropolitan Affairs Apr. 10, 1989.  
To Pass as Amended Apr. 17, 1989.  
Read Second Time Apr. 17, 1989.  
Special Orders, Continued Apr. 20, 1989.  
Special Orders, Amended and Read Third Time as Amended Apr. 24, 1989.  
Passed by the House as Amended Apr. 24, 1989.  
Transmitted to the Senate Apr. 24, 1989.

1 A bill for an act  
2 relating to metropolitan transit; requiring joint  
3 planning for light rail transit; establishing a joint  
4 planning board; requiring approval of light rail  
5 transit plans by the regional transit board;  
6 specifying the composition of the regional transit  
7 board and the metropolitan transit commission;  
8 changing various provisions relating to metropolitan  
9 transit programs and authorities; amending Minnesota  
10 Statutes 1988, sections 398A.04, subdivision 9;  
11 473.169, subdivisions 1, 3, 4, and 5; 473.17; 473.373,  
12 subdivisions 1a, 4, 5, and by adding a subdivision;  
13 473.375, subdivisions 8 and 13; and 473.404,  
14 subdivisions 2, 3, and 5; proposing coding for new law  
15 in Minnesota Statutes, chapter 473; repealing  
16 Minnesota Statutes 1988, sections 473.1691 and 473.398.  
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
18 Section 1. Minnesota Statutes 1988, section 398A.04,  
19 subdivision 9, is amended to read:  
20 Subd. 9. [MUNICIPAL AGREEMENTS.] The authority may enter  
21 into joint powers agreements under section 471.59 or other  
22 agreements with the municipality or municipalities named in the  
23 organization agreement, or with other municipalities situated in  
24 the counties named in the resolution, respecting the matters  
25 referred to in section 398A.06 or with another authority about  
26 any matter subject to this chapter.  
27 Sec. 2. [473.1685] [REGIONAL RAILROAD AUTHORITIES; JOINT  
28 PLANNING.]  
29 Subdivision 1. [JOINT PLANNING BOARD; CREATION;  
30 PURPOSE.] There is established a joint planning board for light  
31 rail transit, to:

1 (1) coordinate the activities of individual county regional  
2 railroad authorities in planning light rail transit facilities  
3 in the metropolitan area; and

4 (2) ensure that the facilities are acquired, developed, and  
5 capable of operation in (i) an efficient, cost-effective manner,  
6 and (ii) a coordinated manner as an integrated and unified  
7 system on a multicounty basis in coordination with buses and  
8 other transportation modes and facilities.

9 Subd. 2. [MEMBERSHIP.] The joint planning board consists  
10 of:

11 (1) two members of the governing board of each regional  
12 railroad authority that applies for and receives state funding  
13 for preliminary engineering of light rail transit facilities;

14 (2) one member, in addition to those under clause (1), of  
15 the governing board of the Hennepin county regional railroad  
16 authority;

17 (3) one member of the governing board of each regional  
18 railroad authority not represented under clause (1) that applies  
19 for and receives state funding for planning of light rail  
20 transit facilities;

21 (4) two members of the metropolitan transit commission; and

22 (5) the commissioner of transportation or an employee of  
23 the department designated by the commissioner.

24 Appointments under clauses (1) to (3) are made by the  
25 respective authorities, and appointments under clause (4) are  
26 made by the commission. The regional transit board shall make  
27 the appointment for any appointing authority that fails to make  
28 the required appointments by August 1, 1989. Members serve at  
29 the pleasure of the agency making the appointment.

30 Subd. 3. [CHAIR.] The joint planning board shall annually  
31 elect a chair from among its members.

32 Subd. 4. [ADMINISTRATION.] Staff and administrative  
33 services for the board must be provided by the organizations  
34 represented. The board may apply for financial assistance from  
35 the state or the regional transit board. The joint planning  
36 board may create technical and staff advisory committees as it

1 deems appropriate to assist the board in fulfilling its  
2 responsibilities.

3 Sec. 3. [473.1686] [LIGHT RAIL TRANSIT; REGIONAL  
4 MANAGEMENT PLAN.]

5 Subdivision 1. [REQUIREMENT; PURPOSE.] (a) The joint  
6 planning board established under section 2 shall prepare a  
7 regional management plan for light rail transit.

8 (b) Nothing in this section should be interpreted to  
9 require the elimination of regional railroad authorities or to  
10 forbid one or more authorities to act independently, so long as  
11 their activities are consistent with the regional management  
12 plan.

13 (c) The plan must ensure that light rail transit facilities  
14 in the metropolitan area will be acquired, developed, owned, and  
15 capable of operation in (i) an efficient, cost-effective manner,  
16 and (ii) a coordinated manner as an integrated and unified  
17 system on a multicounty basis in coordination with buses and  
18 other transportation modes and facilities.

19 (d) The joint board shall complete the first part of the  
20 management plan by January 1, 1990. The first part consists of  
21 a system-wide capital development and financial plan, which must  
22 include the following elements:

23 (1) a statement of objectives for capital development for a  
24 prospective ten-year period, describing priorities and needs  
25 based on capacity requirements and ridership projections for the  
26 various segments of the system, the total capital costs, and a  
27 general plan and recommendations for long-term capital  
28 financing;

29 (2) a five-year capital improvements plan, setting forth a  
30 schedule of specific capital improvements and acquisitions for a  
31 five-year period following the commencement of construction of  
32 facilities;

33 (3) a five-year financial plan showing, for the  
34 improvements and acquisitions scheduled in the capital  
35 improvements plan: (i) the anticipated capital expenditures,  
36 (ii) total annual debt service requirements, (iii) anticipated

1 annual operating costs, (iv) anticipated annual operating  
2 revenues based on ridership projections, both for total riders  
3 and for new riders attributable to the light rail facilities,  
4 (v) annual operating subsidy levels, and (vi) policies and  
5 recommendations on the source of funds for capital expenditures,  
6 debt service, and the operating subsidy, including the share of  
7 the subsidy to be paid by regional railroad authorities; and

8 (4) a general plan for organizing and coordinating  
9 acquisition, construction, ownership, and operation of the  
10 system, including in particular, coordination of vehicle  
11 specifications, provisions for a single light rail transit  
12 operator for the system, and the organization and coordination  
13 method required if a turn-key approach to facility acquisition  
14 is used by a regional railroad authority.

15 For any segments of rail line that may be constructed below  
16 the surface elevation, the financial plan must estimate the  
17 additional capital costs, debt service, and subsidy level that  
18 are attributable to the below grade construction.

19 (e) The joint board shall complete the second part of the  
20 management plan by July 1, 1990. The second part consists of a  
21 system-wide implementation plan, which must include the  
22 following elements:

23 (1) specifications and standards to ensure joint or  
24 coordinated procurement of vehicles, electrification,  
25 communications and ticketing facilities, yards and shops, and  
26 other facilities that must be or should be operated on a  
27 systemwide basis;

28 (2) systemwide operating and performance specifications and  
29 standards;

30 (3) bus and park-and-ride coordination policies, standards,  
31 and plans;

32 (4) a method for ensuring ongoing coordination of  
33 development, design, and operational plans, including a  
34 description of the requirements for joint board review of design  
35 plans under subdivision 4; and

36 (5) other matters that the joint planning board deems

1 prudent and necessary to ensure that light rail transit  
2 facilities are acquired, developed, owned, and capable of  
3 operation in (i) an efficient and cost-effective manner, and (ii)  
4 a coordinated manner as an integrated and unified system on a  
5 multicounty basis in coordination with buses and other  
6 transportation modes and facilities.

7 (f) The plan must provide for the operation of light rail  
8 transit by the metropolitan transit commission.

9 (g) If two or more regional railroad authorities have  
10 agreed on aspects of the regional management plan set forth in  
11 clause (c), the board shall consider incorporating those aspects  
12 into its regional management plan.

13 Subd. 2. [APPROVAL BY REGIONAL TRANSIT BOARD.] The joint  
14 planning board shall submit the management plan prepared under  
15 subdivision 1 to the regional transit board for review. The  
16 first part of the plan, under paragraph (d), must be submitted  
17 by January 1, 1990. The second part of the plan, under  
18 paragraph (e), must be submitted by July 1, 1990. The transit  
19 board shall determine whether the plan satisfies the  
20 requirements specified in subdivision 1. The transit board  
21 shall either approve the plan or, if it determines that the plan  
22 does not satisfy the requirements, disapprove the plan, in whole  
23 or in part, and recommend modifications in the plan that are  
24 necessary in order to secure approval. Before completing its  
25 review, the transit board shall:

26 (1) submit the plan to the council and the commissioner of  
27 transportation for review and comment;

28 (2) assemble a peer review panel of transit and light rail  
29 transit experts of national stature to review and comment on the  
30 plan; and

31 (3) hold a public hearing on the plan to receive the  
32 comments and suggestions of the public.

33 The transit board may not include on the peer review panel any  
34 person who is employed by, or under contract as a consultant or  
35 for professional services to, regional railroad authorities, a  
36 firm employed as a consultant to regional railroad authorities,

1 the transit commission, or the transit commission's management  
2 contractor. The transit board has 120 days from the date of  
3 submission to complete its review of the plan, plan part, or  
4 plan modifications required for approval. Failure to respond  
5 within the time period is deemed to be approval, unless an  
6 extension of time is agreed to by the transit board and the  
7 joint planning board. The transit board shall report on the  
8 results of its review to the legislature.

9 Subd. 3. [APPROVAL REQUIRED.] The regional management plan  
10 must be prepared, reviewed, and approved as required by this  
11 section before any regional railroad authority may begin  
12 construction of light rail transit facilities and before any  
13 authority is eligible for state financial assistance for  
14 constructing light rail transit facilities.

15 Subd. 4. [IMPLEMENTATION; CONFORMITY WITH PLAN.] Following  
16 approval of the regional management plan or part thereof, each  
17 regional railroad authority or other developer of light rail  
18 transit in the metropolitan area shall act in conformity with  
19 the approved plan or plan part. To the extent and in the manner  
20 prescribed in the regional management plan, each authority or  
21 proposer shall prepare or amend its preliminary and final light  
22 rail transit design plans as necessary to make the local plans  
23 consistent with the approved regional management plan or plan  
24 part. Each authority shall submit its preliminary and final  
25 design plans to the joint planning board for review for  
26 consistency with the regional management plan. The joint board  
27 shall approve the local plans if it determines that they are  
28 consistent with the management plan; otherwise the joint board  
29 shall disapprove the plans, in whole or in part, and recommend  
30 modifications in the plans that are necessary in order to secure  
31 approval. The joint board has 60 days to complete its review.

32 Subd. 5. [PLAN AMENDMENT.] Amendments to the regional  
33 management plan must be adopted and submitted for review and  
34 approval or disapproval by the regional transit board.

35 Sec. 4. Minnesota Statutes 1988, section 473.169,  
36 subdivision 1, is amended to read:

1       Subdivision 1. [REQUIREMENT DEFINITIONS AND REQUIREMENTS.]  
2 ~~Before constructing a light rail transit facility, the political~~  
3 ~~subdivision proposing the facility must hold a public hearing on~~  
4 ~~the preliminary design plans as provided in subdivision 2, and~~  
5 ~~submit the preliminary and final design plans for review as~~  
6 ~~provided in subdivisions 3 to 5. (a) "Preliminary design plan"~~  
7 ~~means a plan that identifies the following: location, length,~~  
8 ~~and termini of routes; general dimension, elevation, alignment,~~  
9 ~~and character of routes and crossings, including whether the~~  
10 ~~track is elevated, on the surface, or below ground; approximate~~  
11 ~~station locations; intermodal coordination, with bus operations~~  
12 ~~and routes and park and ride, parking, and other transportation~~  
13 ~~facilities; an implementation method; ridership; capital costs;~~  
14 ~~operating costs and revenues; and funding for final design,~~  
15 ~~construction, and operation.~~

16       (b) "Final design plan" means a plan that includes the  
17 items in the preliminary design plan for the facilities proposed  
18 for construction, but with greater detail and specificity. The  
19 final design plan must include, at a minimum: the right-of-way  
20 definition; civil engineering; standards and specifications for  
21 facilities and equipment; environmental impacts and mitigation  
22 measures; engineering plans for vehicles, track, stations,  
23 parking, access, electrification, communication, and other  
24 facilities; operational rules, procedures and strategies;  
25 capital costs; operating costs and revenues; financing for  
26 construction and operation; and other similar matters, all  
27 stated with sufficient particularity and detail to allow the  
28 proposer to begin the acquisition and construction of operable  
29 facilities.

30       (c) The design plans must include a plan for handicapped  
31 accessibility.

32       Sec. 5. Minnesota Statutes 1988, section 473.169,  
33 subdivision 3, is amended to read:

34       Subd. 3. [PRELIMINARY DESIGN PLANS; LOCAL APPROVAL.] At  
35 least 30 days before the hearing under subdivision 2, the  
36 proposer ~~must~~ shall submit the preliminary design plans to the

1 governing body of each statutory and home rule charter city,  
2 county, and town in which the route is proposed to be located.  
3 The city, county, or town ~~must~~ shall hold a public hearing,  
4 except that a county board need not hold a hearing if the county  
5 board membership is identical to the membership of the regional  
6 rail authority submitting the plan for review. Within 45 days  
7 after the hearing under subdivision 2, the city, county, or town  
8 ~~must~~ shall review and approve or disapprove the plans for the  
9 route to be located in the city, county, or town. A local unit  
10 of government that disapproves the plans shall describe specific  
11 amendments to the plans that, if adopted, would cause the local  
12 unit to withdraw its disapproval. Failure to approve or  
13 disapprove the plans in writing within 45 days after the hearing  
14 is deemed to be approval, unless an extension of time is agreed  
15 to by the city, county, or town and the proposer. ~~If the~~  
16 ~~preliminary design plans are approved by each city, county, and~~  
17 ~~town in which the route is proposed to be located, the proposer~~  
18 ~~may proceed with final design plans under subdivision 5.~~

19 Sec. 6. Minnesota Statutes 1988, section 473.169,  
20 subdivision 4, is amended to read:

21 Subd. 4. [PRELIMINARY DESIGN PLANS; METROPOLITAN COUNCIL  
22 REFERRAL REVIEW BY REGIONAL TRANSIT BOARD.] ~~If the governing~~  
23 ~~body of one or more cities, counties, or towns disapproves the~~  
24 ~~preliminary design plans within the period allowed~~ (a) After  
25 review under subdivision 3, the proposer ~~may refer~~ shall submit  
26 the plans, along with any comments of local jurisdictions, to  
27 ~~the metropolitan council~~ regional transit board.

28 (b) The board shall refer the plans to the metropolitan  
29 council for review, comment, and approval or disapproval for  
30 conformity with metropolitan transportation system plans. The  
31 ~~council must~~ board shall hold a hearing on the plan, giving the  
32 proposer ~~and the,~~ any disapproving local governmental units, and  
33 other persons an opportunity to present ~~the case for or against~~  
34 ~~approval of~~ their views on the plans. The ~~council~~ board may  
35 conduct independent study as it deems desirable and may mediate  
36 and attempt to resolve disagreements about the plans. ~~Within 90~~

1 ~~days-after-the-referral,--the-council--must--either--approve--the~~  
2 ~~plans--as--submitted--by--the--proposer--or--recommend--amended--plans--to~~  
3 ~~accommodate--the--objections--presented--by--the--disapproving--local~~  
4 ~~governmental--units--.~~

5 (c) The board shall review the preliminary design plans to  
6 determine the compatibility of the plans with other light rail  
7 transit plans and facilities in the metropolitan area, the  
8 adequacy of the plans for handicapped accessibility, the  
9 conformity of the plans with metropolitan transportation system  
10 plans, and the conformity of the plans with the regional capital  
11 development and financial plan prepared under section 3,  
12 subdivision 1, paragraph (d). The board may comment on any  
13 aspect of the plans. If the board determines that the plans do  
14 not satisfy the standard stated in this paragraph, the board  
15 shall recommend modifications in the plans that are necessary in  
16 order to satisfy the board. The board may disapprove and  
17 require modification in the plans for failure to conform to an  
18 adopted and approved regional capital development and financial  
19 plan. Board review and approval of preliminary design plans  
20 before completion and approval of the regional capital  
21 development and financial plan is conditional, and after  
22 approving the regional development and financial plan, the board  
23 shall again review any previously reviewed design plans to  
24 ensure conformity with the regional plan.

25 (d) The board has 120 days from the date of submission to  
26 complete its review of plans or plan modifications. Failure to  
27 respond within the time period is deemed to be approval, unless  
28 an extension of time is agreed to by the council and the  
29 proposer.

30 (e) Following approval or recommendation completion of  
31 preliminary design plans by the council, the proposer may  
32 proceed with final design plans under subdivision 5.

33 Sec. 7. Minnesota Statutes 1988, section 473.169,  
34 subdivision 5, is amended to read:

35 Subd. 5. [FINAL DESIGN PLANS.] (a) ~~After the approval of~~  
36 ~~preliminary design plans under subdivision 3 or review by the~~

1 ~~council following referral to the council under subdivision 4,~~  
2 ~~the proposer may prepare final design plans.~~

3 (b) Before ~~proceeding with~~ beginning construction, the  
4 proposer ~~must~~ shall submit the final design plans to the  
5 governing body of each statutory and home rule city, county, and  
6 town in which the route is proposed to be located. Within 60  
7 days after the submission of the plans, the city, county, or  
8 town ~~must~~ shall review and approve or disapprove the plans for  
9 the route located in the city, county, or town. A local unit of  
10 government that disapproves the plan shall describe specific  
11 amendments to the plan that, if adopted, would cause the local  
12 unit to withdraw its disapproval. Failure to approve or  
13 disapprove the plans in writing within the time period is deemed  
14 to be approval, unless an extension is agreed to by the city,  
15 county, or town and the proposer. ~~If the final design plans are~~  
16 ~~approved by each city, county, and town in which the route is~~  
17 ~~proposed to be located, the proposer may proceed with~~  
18 ~~construction on that route.~~

19 (c) ~~If the governing body of one or more cities, counties,~~  
20 ~~or towns disapproves the final design plans within the period~~  
21 ~~allowed (b) After review under paragraph (b) (a), the~~  
22 proposer ~~may refer~~ shall submit the final design plans, along  
23 with any comments of local jurisdictions, to the metropolitan  
24 council regional transit board. The ~~council must~~ board shall  
25 review the final design plans under the same procedure ~~and with~~  
26 ~~the same effect~~ and according to the same standards as provided  
27 in subdivision 4 for preliminary design plans, except that the  
28 board shall also review the final design plans to determine  
29 whether the plans conform to the approved regional management  
30 plan required by section 3. The board shall either approve the  
31 plans or, if it determines that the plans do not satisfy the  
32 standards, disapprove the plans, in whole or in part, and  
33 recommend modifications in the plans that are necessary in order  
34 to secure approval.

35 (c) Following approval ~~or recommendation~~ of final design  
36 plans by the ~~council~~ board, the proposer may proceed with

1 construction. A proposer may not proceed with construction  
2 unless its design plans have been approved by the board.  
3 Following approval of final design plans by the transit board,  
4 if a regional railroad authority wishes to select a bid or a  
5 response to a request for proposal that is more than ten percent  
6 higher than the capital costs indicated in the final design  
7 plans for the facility, the authority may not proceed with  
8 construction until it has resubmitted the final design plans to  
9 the transit board for further review and approval or disapproval.

10 Sec. 8. Minnesota Statutes 1988, section 473.17, is  
11 amended to read:

12 473.17 [COOPERATION AND COORDINATION IN LIGHT RAIL  
13 TRANSIT.]

14 ~~Notwithstanding-section-473.398,~~ Subdivision 1. [REGIONAL  
15 AGENCIES.] The metropolitan council and the regional transit  
16 board shall cooperate with regional rail authorities in the  
17 study, planning, and design of regional rail authority light  
18 rail transit systems, and the metropolitan transit commission  
19 shall cooperate with regional rail authorities in the  
20 operational planning and operation of regional rail authority  
21 light rail transit systems.

22 Subd. 2. [COUNCIL REVIEW.] The council may review,  
23 comment, and recommend changes with respect to any aspect of the  
24 joint management plan and preliminary and final design plans and  
25 may transmit its comments and recommendations to the transit  
26 board, the joint board, regional rail authorities, and the  
27 commissioner of transportation.

28 Subd. 3. [COORDINATION BY REGIONAL TRANSIT BOARD.] The  
29 transit board shall ensure coordination of the activities of  
30 individual regional railroad authorities and shall ensure that  
31 light rail transit facilities in the metropolitan area are  
32 acquired, developed, owned, and operated in a coordinated manner  
33 as an integrated and unified system on a multicounty basis in  
34 coordination with buses and other transportation modes and  
35 facilities.

36 Subd. 4. [LIMITATION.] Nothing in this section should be

1 interpreted to require the elimination of regional rail  
2 authorities or to forbid one or more authorities to act  
3 independently, so long as the activities are consistent with the  
4 coordination required by this section.

5 Sec. 9. Minnesota Statutes 1988, section 473.373,  
6 subdivision 1a, is amended to read:

7 Subd. 1a. [PURPOSE.] (a) The purposes of the board are:

8 (1) to foster effective delivery of existing transit  
9 services and encourage innovation in transit service;

10 (2) to increase transit service in suburban areas;

11 (3) to prepare implementation and financial plans for the  
12 metropolitan transit system;

13 ~~(3)~~ (4) to set policies and standards for implementing the  
14 transit policies and programs of the state and the transit  
15 policies of the metropolitan council in the metropolitan area;

16 (5) to advise and work cooperatively with local  
17 governments, regional rail authorities, and other public  
18 agencies, transit providers, developers, and other persons in  
19 order to coordinate all modes of transit and to increase the  
20 availability of transit services;

21 ~~(4)~~ (6) to conduct transit research and evaluation; and

22 ~~(5)~~ (7) to administer state and metropolitan transit  
23 subsidies.

24 (b) The board shall arrange with others for the delivery  
25 and provision of transit services and facilities. The board  
26 shall avoid, to the greatest extent possible, direct operational  
27 planning, administration, and management of specific transit  
28 services and facilities.

29 (c) The board shall advise the council, the council's  
30 transportation advisory board, the department of transportation,  
31 local political subdivisions, and private developers on the  
32 transit aspects and effects of proposed transportation plans and  
33 development projects and on methods of improving the  
34 coordination, availability, and use of transit services as part  
35 of an efficient and effective overall transportation system.

36 Sec. 10. Minnesota Statutes 1988, section 473.373, is

1 amended by adding a subdivision to read:

2 Subd. 2a. [MEMBERS.] (a) The board consists of 11 members  
3 appointed by the council.

4 (b) Eight members are appointed from each of the following  
5 agency districts:

6 (1) district A, consisting of council districts 1 and 2;

7 (2) district B, consisting of council districts 3 and 6;

8 (3) district C, consisting of council districts 4 and 5;

9 (4) district D, consisting of council districts 7 and 9;

10 (5) district E, consisting of council districts 8 and 10;

11 (6) district F, consisting of council districts 11 and 12;

12 (7) district G, consisting of council districts 13 and 14,

13 excluding the cities of Lakeville and Burnsville;

14 (8) district H, consisting of council districts 15 and 16,

15 including the cities of Lakeville and Burnsville.

16 The members must be residents of the districts for which  
17 they are appointed and at least six must be elected officials of  
18 statutory or home rule charter cities, towns, or counties. At  
19 least two of the members must be county board members, each from  
20 a different county. At least 30 days before the expiration of a  
21 term, or upon the occurrence of a vacancy, the council shall  
22 request nominations for the position from relevant organizations  
23 of local elected officials, such as the association of  
24 metropolitan municipalities, the metropolitan intercounty  
25 association, the association of urban counties, and where  
26 applicable the association of townships. Each relevant  
27 organization shall nominate at least two persons for each  
28 position. A local unit of government that is not a member of an  
29 association of local elected officials may submit a nomination  
30 independently. The council shall make the appointment from the  
31 nominees submitted to it, to the extent possible consistent with  
32 the other requirements of this paragraph and with a fair  
33 representation of the diverse areas and constituencies affected  
34 by transit.

35 (c) Three citizen members with governmental or management  
36 experience are appointed to represent the interests of the

1 metropolitan area at large. In making these appointments, the  
2 council shall follow the procedures required by section 473.141,  
3 subdivision 2.

4 (d) No single city or town may have more than three of its  
5 residents on the board at once. A member of the joint planning  
6 board established by section 2 is not eligible to serve as a  
7 member of the regional transit board.

8 (e) Appointments are subject to the advice and consent of  
9 the senate as provided in section 15.066.

10 Sec. 11. Minnesota Statutes 1988, section 473.373,  
11 subdivision 4, is amended to read:

12 Subd. 4. [TERMS.] The initial terms of members and the  
13 chair appointed under ~~Laws-19847-chapter-6547-article-37-section~~  
14 ~~1167~~ section 10 commence on ~~the first day after July 17, 1984~~  
15 ~~that the chair and at least seven other members have been~~  
16 ~~appointed and qualified and~~ July 1, 1989. The terms of members  
17 and the chair serving on the effective date of this section  
18 expire on the first day that the chair and eight members  
19 appointed under section 473.141 and this section 10 are  
20 appointed and qualified under section 473.141, subdivision  
21 4. By August 17, 1985, the appointing authorities shall appoint  
22 a chair and eight members from the districts defined in section  
23 473.141. The initial terms of members and the chair appointed  
24 in 1985 are as follows: members representing commission  
25 districts A, B, C, and D and the chair of the board, for terms  
26 ending the first Monday in January of the year ending in the  
27 numeral "7"; members representing commission districts E, F, G,  
28 and H for terms ending the first Monday in January of the year  
29 ending in the numeral "9." At least one of the members  
30 appointed by the council must be 65 years of age or older at the  
31 time of the appointment. The council shall appoint half of the  
32 members initially appointed under subdivision 2a, paragraph (b),  
33 to terms of two years and half to terms of four years.  
34 Thereafter the term of each member ~~and the chair~~ appointed under  
35 subdivision 2a, paragraph (b), is four years, subject to the  
36 provisions on apportionment, successor qualification, removal,

1 and vacancy of section 473.141, subdivisions 4a, 5, and 6. The  
2 council shall appoint two of the members initially appointed  
3 under subdivision 2a, paragraph (c), to a term of two years and  
4 one to a term of four years. Thereafter the term of each member  
5 appointed under subdivision 2a, paragraph (c), is four years,  
6 subject to the provisions on successor qualification, removal,  
7 and vacancy of section 473.141.

8 Sec. 12. Minnesota Statutes 1988, section 473.373,  
9 subdivision 5, is amended to read:

10 Subd. 5. [CHAIR.] (a) The board shall elect a member to  
11 serve as the chair of the board for a term of two years.

12 (b) The chair is paid a per diem compensation for each  
13 meeting and other services as authorized by the board and is  
14 reimbursed for expenses as provided in section 473.141,  
15 subdivision 7, except that the chair's per diem is 2 times the  
16 per diem paid to members.

17 (c) The duties of the chair are:

18 (a) (1) to preside over all board meetings attended;

19 (b) (2) to serve as ~~the principal~~ a transit spokesperson  
20 within the metropolitan area before the legislature, other state  
21 and regional agencies, local units of government, and the  
22 general public;

23 (c) (3) to present to the governor and the legislature,  
24 after approval by the council, the board's financial plan for  
25 public transit in the metropolitan area;

26 (d) (4) to convene and preside at an annual regional  
27 transit conference of transit providers, operators, and users;

28 and

29 (e) (5) to perform other duties assigned by law or by the  
30 board.

31 Sec. 13. Minnesota Statutes 1988, section 473.375,  
32 subdivision 8, is amended to read:

33 Subd. 8. [GIFTS; GRANTS.] The board may apply for, accept  
34 and disburse gifts, grants, or loans from the United States, the  
35 state, or from any person on behalf of itself or any of its  
36 contract recipients, for any of its purposes. It may enter into

1 an agreement required for the gifts, grants, or loans and may  
2 hold, use, and dispose of money or property received therefrom  
3 according to the terms of the gift, grant, or loan. The board  
4 may not be a recipient of federal operating or capital  
5 assistance distributed by formula or block grant. ~~The board may~~  
6 ~~not be a recipient of federal discretionary capital grants for~~  
7 ~~light rail and other fixed guideway transit systems.~~

8 No political subdivision within the metropolitan area may  
9 apply for federal transit assistance unless its application has  
10 been submitted to and approved by the board.

11 Sec. 14. Minnesota Statutes 1988, section 473.375,  
12 subdivision 13, is amended to read:

13 Subd. 13. [FINANCIAL ASSISTANCE.] The board may provide  
14 financial assistance to the commission and other providers as  
15 provided in sections 473.371 to 473.449 in furtherance of and in  
16 conformance with the implementation plan of the board. The  
17 board may not use the proceeds of bonds issued by the council  
18 under section 473.39 to provide capital assistance to private,  
19 for-profit operators of public transit.

20 Sec. 15. Minnesota Statutes 1988, section 473.404,  
21 subdivision 2, is amended to read:

22 Subd. 2. [MEMBERSHIP.] The transit commission consists  
23 of ~~three~~ five members appointed by the transit board. One  
24 member must be a resident of the city of Minneapolis, one must  
25 be a resident of the city of St. Paul, ~~and one~~ two must reside  
26 in the service area of the commission outside of Minneapolis and  
27 St. Paul, and one may reside anywhere in the metropolitan area.  
28 At least one of the two members appointed as residents of the  
29 service area outside of the two cities must reside in the  
30 commission's full-peak and off-peak service area, as defined for  
31 tax purposes in section 473.446. Appointments are ~~not~~ subject  
32 to the advice and consent of the senate as provided in section  
33 15.066. ~~Appointments are not subject to the advice and consent~~  
34 ~~of the senate.~~

35 Sec. 16. Minnesota Statutes 1988, section 473.404,  
36 subdivision 3, is amended to read:

1 Subd. 3. [TERMS.] (a) The term of each member of the  
2 commission is three years and until a successor is appointed and  
3 qualified.

4 (b) The initial terms of members authorized in 1984  
5 commence on the first day after August 1, 1984, that all three  
6 members have been appointed and qualified. One member must be  
7 appointed to an initial term of one year, one to an initial term  
8 of two years, and one to an initial term of three years. The  
9 terms of members of the transit commission appointed and serving  
10 on August 1, 1984, pursuant to Minnesota Statutes 1982, section  
11 473.141, expire on the day that the terms of members appointed  
12 pursuant to this section commence.

13 (c) The initial terms of the two added members, first  
14 appointed in 1989, commence August 1, 1989. One member must be  
15 appointed to an initial term of two years and one to an initial  
16 term of three years.

17 Sec. 17. Minnesota Statutes 1988, section 473.404,  
18 subdivision 5, is amended to read:

19 Subd. 5. [QUALIFICATION.] Each member of the commission  
20 must have transit, governmental, or management experience. A  
21 member shall not during a term of office be a member of the  
22 metropolitan council, the regional transit board, the  
23 metropolitan waste control commission, the metropolitan airports  
24 commission, the metropolitan sports facilities commission, or  
25 any other independent regional commission, board, or agency, or  
26 hold any judicial office. Each member shall qualify by taking  
27 and subscribing to the oath of office prescribed by the  
28 Minnesota Constitution, article 5, section 5. The oath, duly  
29 certified by the official administering it, must be filed with  
30 the metropolitan council.

31 Sec. 18. [TRANSIT COMMISSION; LIGHT RAIL.]

32 The transit commission shall be the operator of a light  
33 rail transit system upon completion of construction of a light  
34 rail transit shop, yard, and line segment by a regional rail  
35 authority.

36 Sec. 19. [ELIGIBILITY FOR FEDERAL FUNDS; PROTECTION OF

1 GRANT AWARDS.] Nothing in sections 1 to 18 should be interpreted  
2 to forbid, restrict, or delay an application for federal  
3 financial assistance of any regional railroad authority acting  
4 independently, or to impair, limit, or transfer to another  
5 entity the authority of a regional railroad authority to receive  
6 such assistance individually, independently, and directly, as  
7 long as the facilities or activities for which the funds are  
8 awarded conform to the requirements of sections 1 to 18. A  
9 regional rail authority is specifically authorized to apply for  
10 and receive, in its own name, federal financial assistance. The  
11 location of a light rail transit line, stations, yards, and  
12 shops for which a federal grant has been applied by April 1,  
13 1989, is not subject to the management plan or approval under  
14 sections 1 to 18, if the grant is awarded or a notice of intent  
15 to award the grant is received.

16 Sec. 20. [APPLICATION.]

17 Sections 1 to 21 are effective the day following final  
18 enactment. Sections 2 to 19 apply in the counties of Anoka,  
19 Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

20 Sec. 21. [REPEALER.]

21 Minnesota Statutes 1988, sections 473.1691 and 473.398, are  
22 repealed.

SENATE  
STATE OF MINNESOTA  
SEVENTY-SIXTH LEGISLATURE

PRINTED  
PAGE NO. 546

S.F. No. 1202

Introduced by Novak, Purfeerst, Lantry, Langseth and McQuaid.  
Read First Time Mar. 22, 1989, and Referred to the  
Committee on Transportation.  
Committee Recommendation. To Pass as Amended and Re-referred  
to the Committee on Governmental Operations.  
Committee Report Adopted Apr. 6, 1989.  
Committee Recommendation. To Pass as Amended and Re-referred  
to the Committee on Taxes and Tax Laws.  
Committee Report Adopted Apr. 17, 1989.  
Committee Recommendation. To Pass as Amended.  
Committee Report Adopted Apr. 28, 1989.  
Read Second Time Apr. 28, 1989.

1

A bill for an act

2 relating to metropolitan government; restructuring the  
3 regional transit board and the metropolitan transit  
4 commission; directing the board to plan and coordinate  
5 light rail transit systems in the metropolitan area;  
6 directing the commission to operate any light rail  
7 transit systems; transferring responsibility for  
8 distribution of the transit assistance fund and for  
9 receipt of federal grants to the board; requiring a  
10 transit delivery study; imposing levy limitations on  
11 regional rail authorities; amending Minnesota Statutes  
12 1988, sections 174.32, subdivision 2; 275.50,  
13 subdivision 2; 275.51, subdivision 3f; 473.169,  
14 subdivisions 3, 4, 5, and by adding subdivisions;  
15 473.373, by adding a subdivision; 473.375, subdivision  
16 8, and by adding a subdivision; 473.404, subdivisions  
17 2 and 3; and 473.4051; repealing Minnesota Statutes  
18 1988, sections 473.1691; 473.17; 473.373, subdivision  
19 4; and 473.398.

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

21 Section 1. Minnesota Statutes 1988, section 174.32,  
22 subdivision 2, is amended to read:

23 Subd. 2. [TRANSIT ASSISTANCE FUND; DISTRIBUTION.] (a)

24 A ~~The~~ transit assistance fund ~~is-created-for-the-purpose-of~~  
25 ~~receiving~~ receives money distributed under section 297B.09.

26 Eighty percent of the receipts of the fund must be placed into a  
27 metropolitan account for distribution to recipients located in  
28 the metropolitan area and 20 percent into a separate account for  
29 distribution to recipients located outside of the metropolitan  
30 area. ~~Except-as-otherwise-provided-in-this-subdivision,~~ The  
31 regional transit board created by section 473.373 is responsible  
32 for distributing assistance from the metropolitan account, and

1 the commissioner is responsible for distributing assistance from  
2 the other account. Money placed in the metropolitan account is  
3 available for distribution to regional railroad authorities  
4 established under chapter 398A in the metropolitan area, by the  
5 ~~commissioner-of-transportation~~ regional transit board as  
6 provided in paragraph (b).

7 (b) The ~~commissioner~~ board shall request applications from  
8 all eligible regional railroad authorities. The ~~commissioner~~  
9 board shall establish a reasonable deadline for submittal of  
10 applications. The ~~commissioner~~ board may not distribute more  
11 than 60 percent of the available funds to a single  
12 recipient. ~~Before distributing money to any regional railroad~~  
13 ~~authority, the commissioner shall request review and comment on~~  
14 ~~the applications from the metropolitan council and the regional~~  
15 ~~transit board. The council and the board have 60 days to~~  
16 ~~comment. The commissioner shall consider the comments of the~~  
17 ~~council and the board in evaluating applications and~~  
18 ~~distributing funds.~~ Before distributing any funds for  
19 construction, the ~~commissioner~~ board shall report to the  
20 legislature on the use and planned distribution of construction  
21 funds.

22 Sec. 2. Minnesota Statutes 1988, section 275.50,  
23 subdivision 2, is amended to read:

24 Subd. 2. [GOVERNMENTAL SUBDIVISION.] (a) "Governmental  
25 subdivision" means a county, a home rule charter city, or a  
26 statutory city, except a home rule charter or statutory city  
27 that has a population of less than 2,500 according to the most  
28 recent federal census.

29 (b) "Governmental subdivision" also includes any home rule  
30 charter or statutory city or town that receives a distribution  
31 from the taconite municipal aid account in the levy year.

32 (c) "Governmental subdivision" also includes a regional  
33 rail authority.

34 Sec. 3. Minnesota Statutes 1988, section 275.51,  
35 subdivision 3f, is amended to read:

36 Subd. 3f. [LEVY LIMIT BASE.] (a) The property tax levy

1 limit base for governmental subdivisions for taxes levied in  
2 1988 shall be equal to the total actual levy for taxes payable  
3 in 1988 plus the amount of any payments the governmental  
4 subdivision was certified to receive in 1988 under sections  
5 477A.011 to 477A.014 and minus any special levies claimed for  
6 taxes payable in 1988 pursuant to Laws 1987, chapter 268,  
7 article 5, section 12, subdivision 4, clauses (1), (2), (3), and  
8 (4). A county's levy limit base will be increased by the amount  
9 of any increase in its levy under section 134.07 over that  
10 levied under section 134.07 for taxes payable in 1988 which is  
11 required under section 134.341. For governmental subdivisions  
12 located in the seven-county metropolitan area, the total actual  
13 levy for taxes payable in 1988 shall include the fiscal  
14 disparities distribution levy pursuant to Minnesota Statutes  
15 1986, section 473F.08, subdivision 7a.

16 (b) Except as provided in paragraph (c), for taxes levied  
17 in 1989 and subsequent years, a governmental subdivision's levy  
18 limit base is equal to its adjusted levy limit base for the  
19 preceding year not including the adjustment made under  
20 subdivision 3h, paragraph (c), plus for taxes levied in 1989 the  
21 administrative reimbursement aid received in 1988.

22 (c) For taxes levied in 1989, the levy limit base of a  
23 governmental subdivision defined in section 275.50, subdivision  
24 2, paragraph (c), is its levy for taxes levied in 1988, payable  
25 in 1989.

26 Sec. 4. Minnesota Statutes 1988, section 473.169,  
27 subdivision 3, is amended to read:

28 Subd. 3. [PRELIMINARY DESIGN PLANS; LOCAL APPROVAL.] At  
29 least 30 days before the hearing under subdivision 2, the  
30 proposer ~~must~~ shall submit the preliminary design plans to the  
31 governing body of each statutory and home rule charter city,  
32 county, and town in which the route is proposed to be located.  
33 The city, county, or town ~~must~~ shall hold a public hearing.  
34 Within 45 days after the hearing under subdivision 2, the city,  
35 county, or town ~~must~~ shall review and approve or disapprove the  
36 plans for the route to be located in the city, county, or town.

1 Failure to approve or disapprove the plans in writing within 45  
2 days after the hearing is deemed to be approval, unless an  
3 extension of time is agreed to by the city, county, or town and  
4 the proposer. If the preliminary design plans are approved by  
5 each city, county, and town in which the route is proposed to be  
6 located, the proposer ~~may proceed with final~~ shall submit the  
7 preliminary design plans to the regional transit board for  
8 approval or disapproval under subdivision 5 4a.

9 Sec. 5. Minnesota Statutes 1988, section 473.169,  
10 subdivision 4, is amended to read:

11 Subd. 4. [PRELIMINARY DESIGN PLANS; ~~METROPOLITAN-COUNCIL~~  
12 REGIONAL TRANSIT BOARD REFERRAL.] If the governing body of one  
13 or more cities, counties, or towns disapproves the preliminary  
14 design plans within the period allowed under subdivision 3, the  
15 proposer may refer the plans to the ~~metropolitan-council~~  
16 regional transit board. The ~~council-must~~ board shall hold a  
17 hearing, giving the proposer and the disapproving local  
18 governmental units an opportunity to present the case for or  
19 against approval of the plans. The ~~council~~ board may conduct  
20 independent study as it deems desirable and may mediate and  
21 attempt to resolve disagreements about the plans. Within 90  
22 days after the referral, the ~~council~~ board must either approve  
23 the plans as submitted by the proposer or recommend amended  
24 plans to accommodate the objections presented by the  
25 disapproving local governmental units. Failure to respond  
26 within the time period is deemed to be approval, unless an  
27 extension of time is agreed to by the ~~council~~ board and the  
28 proposer. Following approval or recommendation of preliminary  
29 design plans by the ~~council~~ board, the proposer may proceed with  
30 final design plans under subdivision 5.

31 Sec. 6. Minnesota Statutes 1988, section 473.169, is  
32 amended by adding a subdivision to read:

33 Subd. 4a. [PRELIMINARY DESIGN PLANS; REGIONAL TRANSIT  
34 BOARD APPROVAL.] After the approval of preliminary design plans  
35 under subdivision 3, the proposer shall submit them to the  
36 regional transit board. The board shall hold a public hearing

1 and may conduct an independent study of the plans. Within 90  
2 days after submission of the plans, the board shall approve,  
3 disapprove, or order modification of the plans. If the board  
4 disapproves plans, the proposer may modify the plans and  
5 resubmit them to the board for approval or disapproval, but  
6 shall first submit them for local approval under subdivision 3.  
7 If the board orders modification of the plans, the proposer  
8 shall make the necessary modification and resubmit them to the  
9 board within 90 days of the board's order. The proposer need  
10 not submit the modified plans for local approval under  
11 subdivision 3 before resubmitting them to the board.

12       Sec. 7. Minnesota Statutes 1988, section 473.169, is  
13 amended by adding a subdivision to read:

14       Subd. 4b. [SPECIAL ELIGIBILITY PROVISION.] Notwithstanding  
15 section 174.32, subdivision 2; this section; and section  
16 473.375, a regional rail authority that has developed a  
17 comprehensive plan and has expended funds for preliminary design  
18 of a light rail transit system is eligible for state assistance  
19 if those plans were consistent with the metropolitan long-range  
20 transportation plans in existence on January 1, 1989. Section  
21 174.32, subdivision 2; this section; and section 473.375 may not  
22 be interpreted or relied on by any person, political  
23 subdivision, or agency to delay the planning, engineering, or  
24 construction of a regional rail authority's light rail system.  
25 If a regional rail authority is an eligible recipient of federal  
26 funds and the secretary of transportation preliminarily awards  
27 or indicates an intent to award federal funds to the regional  
28 rail authority for a light rail transit system, then no plans of  
29 the regional transit board shall interfere with that award.

30       Sec. 8. Minnesota Statutes 1988, section 473.169,  
31 subdivision 5, is amended to read:

32       Subd. 5. [FINAL DESIGN PLANS.] (a) After the approval of  
33 preliminary design plans under subdivision 3 4a or review by the  
34 ~~council~~ board following referral to the ~~council~~ board under  
35 subdivision 4, the proposer may prepare final design plans.

36       (b) Before proceeding with construction, the proposer must

1 shall submit the final design plans to the governing body of  
2 each statutory and home rule city, county, and town in which the  
3 route is proposed to be located. Within 60 days after the  
4 submission of the plans, the city, county, or town ~~must~~ shall  
5 review and approve or disapprove the plans for the route located  
6 in the city, county, or town. Failure to approve or disapprove  
7 the plans in writing within the time period is deemed to be  
8 approval, unless an extension is agreed to by the city, county,  
9 or town and the proposer. If the final design plans are  
10 approved by each city, county, and town in which the route is  
11 proposed to be located, the proposer ~~may-proceed-with~~  
12 construction-on-that-route shall submit the final design plans  
13 to the regional transit board for approval or disapproval under  
14 subdivision 5a.

15 (c) If the governing body of one or more cities, counties,  
16 or towns disapproves the final design plans within the period  
17 allowed under paragraph (b), the proposer may refer the plans to  
18 the ~~metropolitan-council~~ regional transit board. The ~~council~~  
19 ~~must~~ board shall review the final design plans under the same  
20 procedure and with the same effect as provided in subdivision 4  
21 for preliminary design plans. Following approval or  
22 recommendation of final design plans by the ~~council~~ board, the  
23 proposer may proceed with construction.

24 Sec. 9. Minnesota Statutes 1988, section 473.169, is  
25 amended by adding a subdivision to read:

26 Subd. 5a. [FINAL DESIGN PLANS; REGIONAL TRANSIT BOARD  
27 APPROVAL.] After the approval of final design plans under  
28 subdivision 5, paragraph (b), the proposer shall submit them to  
29 the regional transit board. The board shall approve,  
30 disapprove, or order modification of the plans under the same  
31 schedule, and with the same effect, as provided for its review  
32 of preliminary design plans under subdivision 4a. After  
33 approval of final design plans by the board, county approval  
34 under subdivision 6, and council review under subdivision 7, the  
35 proposer may proceed with construction.

36 Sec. 10. Minnesota Statutes 1988, section 473.373, is

1 amended by adding a subdivision to read:

2 Subd. 4a. [MEMBERSHIP.] The board consists of 11 members,  
3 appointed to four-year terms as follows:

4 (1) a chair appointed by the governor with the advice and  
5 consent of the senate;

6 (2) a person who is age 65 or older at the time of  
7 appointment, appointed by the governor;

8 (3) a person with a disability, appointed by the governor;  
9 and

10 (4) eight persons appointed by the metropolitan council  
11 from agency districts under section 473.141, subdivision 2, four  
12 of whom must be elected members of the governing bodies of  
13 cities in the metropolitan area and four of whom must be elected  
14 members of the governing bodies of counties in the metropolitan  
15 area.

16 Sec. 11. Minnesota Statutes 1988, section 473.375,  
17 subdivision 8, is amended to read:

18 Subd. 8. [GIFTS; GRANTS.] The board may apply for, accept  
19 and disburse gifts, grants, or loans from the United States, the  
20 state, or from any person on behalf of itself or any of its  
21 contract recipients, for any of its purposes. It may enter into  
22 an agreement required for the gifts, grants, or loans and may  
23 hold, use, and dispose of money or property received therefrom  
24 according to the terms of the gift, grant, or loan. The board  
25 may not be a recipient of federal operating or capital  
26 assistance distributed by formula or block grant. ~~The board may~~  
27 ~~not be a recipient of federal discretionary capital grants for~~  
28 ~~light rail and other fixed guideway transit systems.~~

29 No political subdivision within the metropolitan area may  
30 apply for federal transit assistance unless its application has  
31 been submitted to and approved by the board.

32 Sec. 12. Minnesota Statutes 1988, section 473.375, is  
33 amended by adding a subdivision to read:

34 Subd. 11a. [LIGHT RAIL TRANSIT.] (a) The board shall  
35 develop a long-range plan for light rail transit consistent with  
36 the council's development guide and a plan for staged

1 implementation of the plan. The plan must include:

2 (1) the designation of light rail transit corridors;

3 (2) standards for rights-of-way, tracks, vehicles, and  
4 stations;

5 (3) the coordination of light rail transit with bus systems  
6 to assure maximum use of light rail lines and the widest  
7 possible access to light rail lines in suburban areas;

8 (4) the coordination of systems constructed by individual  
9 regional rail authorities or other political subdivisions; and

10 (5) a method of financing the operation of light rail  
11 transit that depends on property tax revenues for no more than  
12 35 percent of the operating cost.

13 The plan must provide for the operation of light rail  
14 transit by the metropolitan transit commission. In developing  
15 and implementing the plan, the board shall consult and cooperate  
16 with the transit commission. Throughout the development and  
17 implementation of the plan, the board shall contract for or  
18 otherwise obtain the services of an engineer to assure that the  
19 plan adequately addresses the technical aspects of light rail  
20 transit. The board shall measure preliminary and final design  
21 plans submitted to it under section 473.169 against its plan and  
22 shall approve, disapprove, or order modifications of the  
23 submitted plans accordingly. No proposer of light rail transit  
24 plans may proceed with construction unless its plans have been  
25 approved by the board.

26 (b) If the board's plan calls for construction and  
27 operation of a light rail transit system in an area whose  
28 governing body has chosen not to organize and proceed under  
29 chapter 398A, the board may authorize an appropriate adjacent  
30 political subdivision to implement the plan in that area. A  
31 political subdivision operating under this paragraph must submit  
32 its preliminary and final design plans in the affected area for  
33 approval under section 473.169, in the same manner as it would  
34 submit plans covering an area within its jurisdiction. A single  
35 set of plans may include a design for a system covering an area  
36 within the proposer's jurisdiction and an adjacent area.

1       Sec. 13. Minnesota Statutes 1988, section 473.404,  
2 subdivision 2, is amended to read:

3       Subd. 2. [MEMBERSHIP.] The transit commission consists  
4 of ~~three~~ five members appointed by the transit board. One  
5 member must be a resident of the city of Minneapolis, one must  
6 be a resident of the city of St. Paul, and one at least two must  
7 reside in the service area of the commission outside of  
8 Minneapolis and St. Paul. Appointments are not subject to the  
9 advice and consent of the senate.

10       Sec. 14. Minnesota Statutes 1988, section 473.404,  
11 subdivision 3, is amended to read:

12       Subd. 3. [TERMS.] The term of each member of the  
13 commission is three years and until a successor is appointed and  
14 qualified. ~~The initial terms of members commence on the first~~  
15 ~~day after August 17, 1984, that all three members have been~~  
16 ~~appointed and qualified. One member must be appointed to an~~  
17 ~~initial term of one year, one to an initial term of two years,~~  
18 ~~and one to an initial term of three years. The terms of members~~  
19 ~~of the transit commission appointed and serving on August 17~~  
20 ~~1984, pursuant to Minnesota Statutes 1982, section 473.417~~  
21 ~~expire on the day that the terms of members appointed pursuant~~  
22 ~~to this section commence.~~

23       Sec. 15. Minnesota Statutes 1988, section 473.4051, is  
24 amended to read:

25       473.4051 [LIGHT RAIL TRANSIT OPERATION.]

26       The transit commission ~~may enter into an agreement to~~  
27 ~~provide for the operation of~~ shall operate a regional rail  
28 authority light rail transit system upon completion of  
29 construction of the system by the regional rail authority. ~~If a~~  
30 ~~regional rail authority enters into an agreement with the~~  
31 ~~transit commission for~~ In assuming the operation of the system,  
32 the transit commission must comply with the provisions of  
33 section 473.415. The commission shall coordinate operation of  
34 the light rail transit system with bus service to avoid  
35 duplication of service on a route served by light rail transit  
36 and to ensure the widest possible access to light rail transit

1 lines in suburban areas by means of a feeder bus system.

2 Sec. 16. [EXISTING TRANSIT BOARD, TRANSIT COMMISSION.]

3 (a) Notwithstanding section 10, the terms of the initial  
4 members of the regional transit board appointed under section 10  
5 are as follows:

6 (1) three of the members appointed by the metropolitan  
7 council who are elected members of the governing bodies of  
8 cities, two years;

9 (2) two of the members appointed by the metropolitan  
10 council who are elected members of the governing bodies of  
11 counties, two years; and

12 (3) all others, four years.

13 The terms of members of the commission appointed and  
14 serving on the effective date of this act expire on the day that  
15 the terms of members appointed under this section and section 10  
16 commence.

17 (b) Notwithstanding section 14, the initial term of one of  
18 the members added to the commission by section 13 is two years.  
19 The board shall designate the member appointed under section 13  
20 to a two-year term and the member appointed to a three-year term.

21 Sec. 17. [TRANSIT DELIVERY STUDY.]

22 Subdivision 1. [STUDY REQUIRED.] The regional transit  
23 board shall conduct a study of methods to improve the delivery  
24 of transportation services for the elderly, handicapped, and  
25 disabled, including persons with permanent sensory or mental  
26 impairments, whose transit needs cannot be fully accommodated  
27 through the use of existing public transit alternatives. The  
28 board shall direct its staff to:

29 (1) evaluate the adequacy of service currently being  
30 provided;

31 (2) document the levels of service currently being provided  
32 for programs under the jurisdiction of the department of human  
33 services;

34 (3) assess the adequacy of financial assistance being  
35 provided by the department of human services for the provision  
36 of these transportation services;

1       (4) evaluate the potential for integrating metro mobility  
2 with other specialized transit;

3       (5) assess the role of nonprofits in providing  
4 cost-effective service;

5       (6) identify transit issues for special populations in  
6 suburban areas;

7       (7) identify and evaluate options for a formal appeals  
8 process to challenge decisions by the board to eliminate or  
9 reduce service to clients; and

10       (8) evaluate the efficiency and usefulness of the current  
11 metro mobility administrative center computer system and  
12 identify suggestions for improvement.

13       Subd. 2. [COMMUNITY INVOLVEMENT.] The board shall actively  
14 involve interested parties in this process, including but not  
15 limited to:

16       (1) members of the transportation handicapped advisory  
17 committee;

18       (2) representatives of the department of human services;

19       (3) members of the transit providers advisory committee;

20       (4) representatives of nonprofit transit and social service  
21 providers;

22       (5) organizations representing the elderly, handicapped,  
23 and disabled communities; and

24       (6) interested members of the general public.

25       Subd. 3. [REPORT.] The board shall report its findings and  
26 recommendations, along with all supporting data and public  
27 comment, to the chairs of the house of representatives and  
28 senate transportation committees by December 1, 1989.

29       Sec. 18. [REPEALER.]

30       Minnesota Statutes 1988, sections 473.1691; 473.17;  
31 473.373, subdivision 4; and 473.398, are repealed.

32       Sec. 19. [EFFECTIVE DATE.]

33       Sections 1 and 4 to 18 apply in the counties of Anoka,  
34 Carver, Dakota, Hennepin, Ramsey, Scott, and Washington and are  
35 effective July 1, 1989. Sections 2 and 3 are effective for  
36 taxes levied in 1989, payable in 1990, and thereafter.

MEMORANDUM

**TO:** Regional Transit Board Members  
**FROM:** H. Theodore Grindal and Thomas A. Satre  
**DATE:** May 15, 1989  
**RE:** Update on H.F. 1408 & S.F. 1202

-----  
Dear Members:

Senate File 1202 is scheduled for debate on the floor of the Senate today. Therefore, it is highly unlikely that either of us will be able to attend this afternoon's Policy Committee meeting to review the past week's activities. We would, however, like to offer the following information:

1) At least four amendments are anticipated during today's debate in the Senate. None of them fit with the agenda selected by the board. We will be assisting the author in an attempt to defeat the amendments.

2) Last Wednesday we, along with Vice-Chair Graves, met with Rep. Phil Carruthers to discuss the wishes and hopes of this board regarding the final outcome of the legislative session as relates to the RTB. It was a good opportunity to explain the board's position and to assure Rep. Carruthers that this board is not working against any bill which will revitalize and strengthen a regional transit body to oversee metropolitan transit needs.

3) The attached comparison was prepared by Senate Counsel. It is more detailed than the synopsis comparison we prepared for the board's discussion on a legislative agenda. Much may change in today's debate. In any case, we will remain diligent in monitoring developments in conference committee and will report back to your designated legislative representative, Rochelle Graves.

4) Next Monday, May 22, is the final day of this session. We will present a detailed report of the conference committee and action in both chambers regarding activities in both. (If there is no compromise by midnight on the 22nd, the bills will be carried over until the 1990 session.)

Our apologies for not being at today's policy committee meeting to give you an update, but we believe that today, we best serve the RTB through continued discussion with key Senate members as they discuss S.F. 1202.

THOMAS A. SATRE

**GOVERNMENT  
AFFAIRS**

2200 WASHINGTON SQUARE  
100 WASHINGTON AVE. SO.  
MINNEAPOLIS, MN 55401  
612/339-6900

1401 NEW YORK AVE NW  
WASHINGTON, D.C. 20005  
202/347-3900

TRANSIT BILL COMPARISON: HF 1408(3E)/SF 1202-3E)

	<u>(HOUSE BILL)</u>	<u>(SENATE BILL)</u>
<b>RTB</b>	(Section 9-12)	(Sections 10, 16)
<b>Purpose</b>	To increase suburban service and to advise and cooperate with other units to coordinate and increase transit availability and use as part of transportation system	--
<b>Members</b>	Eight district members appointed by Council.	Same
	▪ Change in district lines	--
	▪ Six elected officials, at least two from counties	Four elected city and four county officials
	▪ Local nominations process	--
	Three members appointed by the Council at-large with governmental and management experience. (Under existing law, one appointee of the Council must be a senior.)	Three members appointed by governor: the chair, a senior, and one with a disability
	No more than three members from one city or town	--
	Joint LRT planning board member may not serve on RTB	--
	Senate confirmation for all members	Senate confirmation only of the chair, under existing law

	<u>(HOUSE)</u>	<u>(SENATE)</u>
<b>Chair</b>	Elected by RTB to two year term	Appointed by governor to four-year term
	Double per diem	Full-time, under existing law
	Duties: a transit spokesperson, rather than the principal one	--
<b>Terms</b>		
	Initial term of two years: for four of the eight district members, and two of the three at-large members	Initial terms of two years: for three of the city officials, and two of the county officials
	New terms commence July 1	--
	Terms of existing members and chair end when new members are appointed	Same

MTC

	(Section 15-18)	(Section 13-16)
<b>Members</b>	Five: one each from cities; two from suburban service area; one from anywhere in metro area. At least one of the two suburban members must be from full-service area.	Five: one each from cities; at least two from suburban service area.
	Transit, governmental, or management experience; and Senate confirmation	--
<b>Terms</b>	New terms commence August 1	--
	Initial terms: one for two years and one for three.	Same

(HOUSE)(SENATE)**Authority**

MTC shall be the operator of LRT upon completion of central facilities and line segment

MTC shall operate LRT upon completion of construction of the system by the CRRA. Must comply with labor protection provisions. Shall coordinate operation with bus service to avoid duplication and to ensure widest possible access in suburban areas through feeder buses.

**LRT:**  
**COOPERATION**  
**COORDINATION**

(Section 1-2, 8)

Authorizes CRRA joint powers agreements with other CRRAs --

Joint planning board: --

- to: (1) coordinate activities of CRRAs, and (2) ensure efficient, cost effective, and integrated regional system
- Members: One for each CRRA that is planning; one more for each CRRA that is in preliminary engineering; another for the Hennepin CRRA; two members of the MTC; and a representative of MnDOT. Chair elected annually.
- Staffed by members; may create advisory committees

Council: may review, comment and recommend changes in joint management plan and design plans --

RTB: shall ensure CRRA coordination and regional system --

Nothing should be interpreted to impair independent CRRAs --

<u>REGIONAL LRT PLAN</u>	<u>(HOUSE)</u> (Section 3)	<u>(SENATE)</u> (Section 12)
<b>Responsibility</b>	Joint Board: management plan	RTB: long-range plan and staged development plan
<b>Requirements &amp; standards</b>	<p>Nothing should be interpreted to impair independent CRRAs</p> <p>Must ensure acquisition, ownership, and operation in (1) an efficient, cost-effective manner, and (2) a coordinated manner on regional basis</p> <p>Must provide for MTC operation</p> <p>Must consider incorporating CRRAs agreements</p> <p>--</p>	<p>--</p> <p>Must be consistent with Council's development guide</p> <p>Same. Also RTB must consult with MTC in preparing the plan</p> <p>--</p> <p>LRT engineer required at RTB</p>
<b>Date</b>	<p>Part I: 1/1/90</p> <p>Part II: 7/1/90</p>	--
<b>Contents</b>	<p>Part I: capital development and financial plan</p> <ul style="list-style-type: none"> <li>■ 10-year capital development objectives, priorities, over-all capital costs, financing recommendations</li> <li>■ 5-year capital plan, schedule of development</li> </ul>	<ul style="list-style-type: none"> <li>■ staged development plan, including designation of corridors</li> </ul>

(HOUSE)

(SENATE)

- 5-year financial plan: capital spending; annual debt service; annual operating costs, revenues, and subsidy; funding recommendations
- must state additional costs for any tunnel planned
- general plan for coordinating acquisition and vehicle specs, addressing single operator and turn-key issue

- method of financing operations using no more than 35% property tax

--

Part II: implementation plan

- system specs and standards
- bus and park-ride coordination
- method for ensuring ongoing coordination of development and planning

- coordination of systems constructed by individual CRRAs or local units

- standards for rights-of-way, tracks, vehicles, and stations

- bus coordination to assure maximum use of LRT and maximum access to LRT in suburbs

--

**Approvals**

By RTB

By Council, under existing law? (Not clear)

Standard: whether the plan satisfies the statutory requirements

--

RTB approves or disapproves and recommends modifications

--

120-day review process, including peer review panel, hearing, comment by Council and MnDOT, report

--

	<u>(HOUSE)</u>	<u>(SENATE)</u>
<b>Effect</b>	Used by RTB and joint planning board to review LRT design plans	Used by RTB to review LRT design plans
	RTB approved management plan is required before approval of design plans, construction of LRT, or state funding for construction (Part I plan required before preliminary design approval; Part II plan required before final design approval.)	Unclear whether the RTB plan is required before RTB approval of design plans or construction (But see "grandfather" section, below)
	Activities and plans of individual CRRAs must conform to the plan.	--
	--	If RTB plan is not implemented in one jurisdiction, RTB may authorize adjacent jurisdiction to implement

**LRT DESIGN PLANS**

	(Section 3, 4-8)	(Section 4-6, 8-9)
	Preliminary and final design defined	--
<b>Preliminary plans</b>	Eliminates redundant hearing	--
	Disapproving local unit must recommend amendments to plan that would satisfy objections	--
<b>Joint Board review:</b>	To the extent required in the management plan, the joint board reviews and approves or disapproves design plans, for "consistency" with the management plan	--

(HOUSE)

(SENATE)

**RTB review**

RTB may comment on any aspect

--

RTB review standards:

- compatibility with other LRT plans of CRRAs
- adequacy of handicapped accessibility
- "conformity" with metropolitan system plans
- "conformity" with Part I of management plan (capital development and finance)

--

--

RTB must "measure" plan against its LRT plan

--

RTB may:

- recommend plan modifications based on the first three standards
- require modifications based on the last standard

RTB may approve, disapprove, or order modifications.

- If RTB disapproves plans, the proposer may revise the plans and resubmit for local and RTB review
- If RTB orders modifications, the proposer must make modifications within 90 days and resubmit the plan to the RTB

RTB approval of plans before the completion of Part I of the management plan is conditional upon later review to assure conformity with the plan

120 day review period

90 day review period

**Council review:**

Council review: RTB must refer plan to Council for review and approval or disapproval for conformity to Council's plan

Council review and comment under existing law

	<u>(HOUSE)</u>	<u>(SENATE)</u>
<b>Final plans</b>	Disapproving local unit must recommend amendments to plans that would satisfy objections	--
	Joint board review: same as for preliminary design	--
	Standard of RTB review: same as for preliminary design, plus conformity to full management plan (both parts)	Same as for preliminary design
	RTB may approve, disapprove, or recommend modifications needed for approval	Same as for preliminary design
	Council review: same as for preliminary design	Council review and comment under existing law
	No construction without RTB approval of design plans, except as provided in "grandfather" provision below. (No explicit prohibition like this for joint board or Council approval.) Resubmittal required if final bids exceed cost estimates in design plan by more than 10 percent.	No construction without RTB approval of design plans. (But see "grandfather" provision below.)

**LRT**  
**"GRANDFATHER"**

	(Section 19)	(Section 7)
--		A CRRA with a comprehensive plan that is doing preliminary design is eligible for state assistance if those plans were consistent with metro long-range plans in existence January 1.
--		The following statutory requirements may not be used or relied on to delay LRT planning, engineering, or construction: (a) state grant review provision, (b) preliminary design review requirements, and (c) RTB plan requirements

(HOUSE)(SENATE)

Nothing should be interpreted to restrict a federal grant application by a CRRA or to transfer authority to receive federal funds, so long as the facilities or activities conform to the requirements of the bill. A CRRA may receive federal funding. The location of LRT facilities funded by a federal grant applied for by April 1 is not subject to the management plan or approval under the bill.

No RTB plans may interfere with a federal LRT grant award

FINANCE

(Section 13-14)

(Section 1-2)

**LRT**

--

Administration of state funds shifted from MnDOT to RTB

RTB may be a recipient of federal discretionary capital grants for LRT

Same

**Taxes**

HF 1734: CRRA levy limit for pay90 is pay88 levy limit base adjusted by population and inflation growth factors

Levy limit base for pay90 is the levy made by the CRRA for pay89

**Other**

RTB may not use bonds to provide capital assistance to private, for-profit operators

--

METRO MO

(Section 17)

--

RTB must study, evaluate, and report on Metro Mo by December 1, 1989

(HOUSE)

(SENATE)

REPEALER

(Section 21)

(Section 18)

473.1691 (LRT comprehensive plans; Council and  
RTB review)

Same

-- (amended by Section 8)

473.17 (regional agency cooperation in LRT)

--

473.373, subd. 4 (RTB terms--superseded by Senate  
bill language)

473.398 (LRT restrictions on regional agencies)

Same