



Minnesota Regional Transit
Board: Records.

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REGIONAL TRANSIT BOARD

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

MEETING OF THE REGIONAL TRANSIT BOARD

Monday, April 15, 1991
Mears Park Centre Chambers
4:00 p.m.

AGENDA

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF AGENDA

C. APPROVAL OF MINUTES

1. Public Hearing on Metro Mobility, January 22, 1991
2. Public Hearing on Metro Mobility Fares, March 18, 1991
3. Policy Committee Meeting, March 25, 1991
4. Special Regional Transit Board Meeting, March 25, 1991
5. Public Hearing on Metro Mobility Fares, March 25, 1991
6. Regional Transit Board Meeting, April 1, 1991

D. CHAIR'S REPORT

1. Legislative Report

E. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Ruth Franklin, Chair

1. Senior Transportation Program 1991 Contract Amendment
2. 1991 Capital Fund Contract with the City of Plymouth
3. 1990 Southwest Metro Transit Commission Operation and Capital Contract Amendments
4. Shakopee 1990 Contract Amendment

F. OTHER BUSINESS

G. PUBLIC COMMENT

Michael J. Ehrlichmann
Chair

REGIONAL TRANSIT BOARD

ROLL CALL AND ATTENDANCE SHEET

DATE: 4/15/81

BOARD OR COMMITTEE: Board

Member Name Present Vote Vote Vote Vote Vote Vote Vote Vote

ISSUE

Mike Ehrlichmann	✓								
Doris Caranicas (P)	✓								
John Finley (A&F)	✓								
Ruth Franklin, Chair (P)	✓								
Ed Kranz (A&F)									
Sandra Hilary (P)									
Terry O'Toole (P)	✓								
Open (P)									
Norbert Theis (P)	✓								
EI Tinklenberg (Chair-P)									
Richard Wedell (A&F)	✓								

Visitors

Staff

Arnie E
Greg. Dwyer
K. Lyne
n. d
E. Bratt
D. Herbert
Weaver
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REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Public Hearing of The
REGIONAL TRANSIT BOARD
Mears Park Centre Chambers
January 22, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Doris Caranicas; Ed Kranz; Terrance O'Toole; Norbert Theis; Elwyn Tinklenberg

MEMBERS EXCUSED: John T. Finley, Ruth Franklin, Sandra Hilary and Richard Wedell

In accordance with legislative directive, the Regional Transit Board (RTB) holds a public hearing annually to receive comments on the Metro Mobility program. The chair called the meeting to order at 7:10 p.m. He noted that the RTB is facing a significant financial shortfall and asked members of the audience to express their support for the program to their lawmakers. Metro Mobility is funded entirely through state appropriation and demand has nearly tripled since 1987.

Roger Blohm, Chair, United Handicapped Transit Task Force, spoke in support of the program, which is a lifeline for mobility-impaired people

Kathy Anderson said she is deaf and blind. She has used the system for four years and the past year has been the worst she experienced. She has had problems with late pickups and drivers not finding her location properly. She suggested that riders be issued coupons.

Bruce Waugh, President, United Handicapped Federation (UHF), said he lives downtown in a condominium, so he does not depend on Metro Mobility, but it is the link that takes people to work, school and places with training programs to enable them to be employed and live fuller lives. Decisions on where to cut funding are difficult. Full funding for the program is a priority to support employment opportunities and it is also a smart business move on behalf of our state.

Kurt Strom, Community Program Advocate, Minnesota Council on Disabilities, spoke in support of careful review and adequate support for the program.

Morgan Grant, Chair, Transit Accessibility Advisory Committee (TAAC), expressed disappointment that more members could not attend the hearing. The committee supports full funding for the program.

Mary Jean Hoover, Minneapolis, said she works with, but does not represent, Blind Advocates of Minnesota. They will lobby for full funding and she expressed concern about the people who are not disabled who think Metro Mobility is a convenience. Because of it, she has been able to go to work, school, visit people and attend this meeting today.

During grad school she conducted a study and concluded that this is the most efficient program with the most riders of any system in the country. She said Yellow Cab has a hard time handling the number of riders they accept. Medical people expect people to arrive for appointments on time. The service is overloaded.

Mary Jo Nichols, Metropolitan Center for Independent Living (MCIL) and member of Transit Accessibility Advisory Committee (TAAC), said she is not speaking as a representative of TAAC. She would like to start an educational campaign because there are some misconceptions that must be dealt with. This is not a social service, it is a part of our public transit system. Metro Mobility is an absolute necessity. She suggested that the certification criteria and define the term "escort."

Terry Turja, who lives in Downtown Minneapolis and uses the system six times a weeks, said there have been problems with Yellow Cab. Some of their drivers are not good drivers and 21 drivers resigned

John D. Walsh, Executive Director, MCIL, said Metro Mobility is essential to independence; for most people there are no other options and it should be an RTB priority.

Susan Warner, 5655 Humboldt Avenue North, Brooklyn Center, spoke in support of increased funding for Metro Mobility. She is a full-time professional who has worked 13 years. She used the system to attend college as well. Until there are other options, Metro Mobility is the only service the disabled have and it should be expanded.

Nancy Booker, 10268 Berkshire Road, Bloomington, spoke on behalf of her daughter who is retarded and for the rest of that part of the population. She appreciates the service because it takes her to her job. It is an essential part of her life. She is vulnerable and Metro Mobility provides very safe transportation for her.

Alan Millstein, a driver for Yellow Cab, said the order system is overtaxed and drivers get misinformation. However, if Yellow Taxi Service Company is eliminated the drivers will be damaged. He suggested an overseer to determine how to correct problems and a driver's representative should be included at meetings. The procedure to disqualify "no shows" should be simplified because they disrupt schedules and create delays.

Lynette Lijewski said Metro Mobility is a right, not a convenience. Without it she would lose her job and could not do social work and maintain a social life. The system must be fully funded.

Graham Kerry, Second Vice President of Minnesota Alliance, speaking for people in Washington County, said more providers are needed in that area.

Coleen Look, United Handicapped Federation member, spoke in support of full funding for Metro Mobility. People need the freedom and independence it provides.

Tom Lijewski, Blind Alliance of Minnesota, said there is unity this evening on full funding for Metro Mobility. If anything, this service needs to be expanded. The rides represent people working, going to school, and other activities. He is concerned about revisiting the eligibility criteria because it would cause more divisiveness in the disability community. As a result of this service, the disability community is out there working and many have greater means to pay taxes. A task force should be created that

would study a sliding fee scale for those who could afford to pay more. He will help the RTB in its efforts at the Legislature.

Jean Wright, 277 E. Robie, St. Paul, said she used Metro Mobility to go dog sledding in Coon Rapids. Comparable cab fare would have been approximately \$80. She uses the service for work and recreation and supports full funding of the program. She spoke on behalf of the blind seniors who use the service for shopping, medical appointments and peer counseling.

Mark Johnson, Restart, Inc., a home for traumatic brain injury in Washington County, spoke on behalf of a client with brain injury who has been denied service because of a misunderstanding. The client is trying to get a job and must have an escort. A complaint has been filed and nothing has been done.

Lloyd Peterson, Ramsey County Human Services, said there are many areas where the service could be improved. Funding is not available and something must be done. He suggested that riders pay a proportionate share of the cost.

Carol Anderson said service should be funded for senior citizens with disabilities.

David Laird said people in Duluth should not be asked to support this service. Duplication of service should be eliminated.

Wallace Hibbard commented that he had enjoyed the meeting.

Ambrose Kahnke, a driver for Health East, described the frustrations of drivers who have to deal with all the problems. He would like to balance the negative view of the relationship between drivers and passengers. His wife, who was also in the audience, is a Metro Mobility client. His employer has no rule on social relationships and he believes such rules may be unlawful. While clients must be protected against any kind of abuse or inconvenience, that kind of rule limits the passengers and the drivers. Interaction is part of their social life and if they choose to pursue a common interest, the driver's job could be threatened. There has been no indication whether proposed rules are only for those who need protection. He suggested that guidelines be developed that allow some freedom in this area and some protection for an individual who does not wish any social interaction. Further, a lot of good and caring drivers are lost because of the low income.

Teresa Pente, a resident of Downtown St. Paul, said she must depend on Metro Mobility because she needs to go to the hospital for outpatient treatment. Without it, she will die. She has trouble getting the rides at the times she needs them and cannot use the system for standing orders. When it works, it is an outstanding program.

Lynn Lockhart, Minneapolis, who is blind, said it took her a year to get certified. She regrets that certification criteria may be raised again as an issue. She uses the system only for work because she can use mainline buses for other travel. She supports full funding for Metro Mobility and better salaries for drivers so they can continue in their jobs. She would also support any action to increase the fare for those who could afford to pay more.

Barbara Bradford Nowlin said people have said that they need this service for survival. No one asked what the rights of Black Americans would cost. Access to public transportation is a civil right. She has filed a civil rights complaint regarding the

certification procedure. The system needs to be open and we need to make arrangements for people who are from out of town to receive service immediately.

Kathy Robinson said several things need to be reiterated. She lives in St. Paul and works in St. Louis Park. She should be able to go anywhere in the Metropolitan Area she wishes, just like anyone else does. Riders should not be getting into arguments about certification again.

Bill Olson, St. Louis Park, discussed late pickups. People coming into the system should be told there will often be late rides and riders should be called when the ride will be delayed and an estimated time should be given.

Richard Brown's remarks were read by the chair.

Dee Jacobson spoke against any cuts in the system.

There being no other speakers, the chair thanked the people for attending this hearing and asked that they join the RTB in its efforts with the Legislature.

The hearing was adjourned at 9:05 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's public hearing of January 22, 1991. Written comments and testimony are attached.

Respectfully submitted,

Mary Fitzgerald
Secretary



REGIONAL TRANSIT BOARD

Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Public Hearing of The
REGIONAL TRANSIT BOARD
Holmes-Greenway
114 S.E. Fifth Street
Minneapolis, Minnesota
March 18, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair, and Richard Wedell

OTHERS PRESENT: Michael Christenson, Metropolitan Transit Commission (MTC) and Chris Gran, Metro Mobility Administrative Center; Greg Andrews, Judy Hollander, Ed Kouneski, Garneth Peterson, Cyndie Mayer, Cynthia Curry, Virginia Beach, Suzanne Hanson and Mary Fitzgerald, Regional Transit Board (RTB) staff

The chair called the hearing to order. The Regional Transit Board (RTB) is mandated to hold a public hearing when significant service changes are proposed. A fare increase has been proposed in response to the difficult financial situation in the state's budget. The demand for paratransit service has tripled in the last three years and some legislators have serious concerns about the amount of money required to fund this service.

Kouneski explained the proposals and introduced the staff members who work on Metro Mobility, Cyndie Mayer, Cynthia Curry and Virginia Beach. At present the total cost per trip is \$10; the passenger pays \$1 and the RTB subsidy is \$9. In contrast, the subsidy for mainline service averages 35 percent. State funding cannot keep pace with the increasing demand and the state's budget cuts compel the RTB to look for ways to cut costs in all these programs.

Public Testimony

Joanne Schindler said a reduction in the service area would compel her to quit her job. Some people use the service to attend school and they would have to curtail their education. She said there are many abuses of the system by Medical Assistance clients who are not certified for Metro Mobility. They are only required to show their cards. Teenagers going to chemical dependency treatment and painting classes are an abuse of the system. Providers are paid \$16 plus \$1 per mile for each Medical Assistance rider, therefore, many providers turn down Metro Mobility riders because the reimbursement is higher for that program. There are many doctors who will sign the certification form for people who do not qualify. She questioned wisdom of putting lifts on mainline buses. The chair said equipping new buses added to the fleet with wheelchair lifts is board policy and new, federal law.

Morgan Grant, Chair, Transit Accessibility Advisory Committee (TAAC), said the United Handicapped Federation's proposal called for no change to the fare for eight-mile trips and TAAC recommended a quarter increase in the over-eight-mile trips.

Betty Norman, Bloomington, said she has used the system for four years and prior to that was a prisoner in her home. Metro Mobility has transformed her life and done marvels for her self esteem. The proposed changes will negatively affect her life because she presently pays \$10.50 per week for trips. Potentially that cost could rise to \$30.00 to attend swimming therapy classes. Her greatest concern is that she is an activity coordinator at Courage Center and strongly opposes the over eight-mile coupons and would hate to see those trips eliminated. A modest increase in the base fare spreads the burden equitably. She said a \$1.75 ride with the coupon, increased to \$5.00, is a 286 percent increase, which far exceeds the increase placed on non-disabled MTC riders.

Kouneski said there is no proposal to eliminate the coupon program. Staff would like to continue it and there is one recommended option to increase the share the rider pays. Today the rider pays \$2.50 for a \$10.00 book of coupons and one proposal is to increase that to \$5.00. Currently a proposal to make the pass available only to persons with limited income is being carefully studied. Members of the audience asked what "limited income" is; the chair said the level would probably follow income requirements of social service programs.

David Cassidy, Bloomington, read a statement into the record (Exhibit A).

Andrew Gamotta, St. Paul, said he would be limited in attending school in Minneapolis.

Barbara Knowlan said this is not a social service program; it is a civil right. Metro Mobility is already close to the line on the fares. Frequent users of regular route are rewarded but Metro Mobility riders are charged overpriced fares.

Another problem is the lack of same day service. For example, she is a substitute teacher and in some schools she cannot substitute because she cannot get a ride the same day. National surveys show that two-thirds of disabled people are below the poverty guidelines. Twin Cities ADAPT is not begging for favors--they will enforce their right to use public transportation. She read the organization's statement.

Sandra Carlson, South Minneapolis, said she is disabled and using a wheelchair. Her husband is also a certified rider. The wheelchair cannot fit into any MTC bus. Metro Mobility costs them \$48 per month. Even a \$.25 increase would amount to \$60.00 a month because they have to pay double since Mrs. Carlson must have an escort. When her husband was hospitalized she could not visit him. Any fare increase would be a hardship because they are struggling with present and past due medical bills. She suggested that riders find a way to petition the government to increase the funds for Metro Mobility. It is a true necessity for anyone who is handicapped.

The chair suggested that everyone write or call their legislators to express their concerns about Metro Mobility.

Pam Weiss, Seward Square, South Minneapolis, spoke in support of Option C; however, she is concerned about the difference between off- and on-peak fares because she participates in a program with fixed hours so it is difficult to ride during off-peak hours. She tries to do that but it is not always possible.

Regarding limited income, it is hard to say what that is. The coupons should not be eliminated and should be available to everyone across the board.

Sharron Hardy, Brooklyn Park, said she has used the system for 12 years and has been active in the program as a volunteer and as a professional. Her community is not affected, but she feels it is discriminatory to ask suburban riders to cut back their activities in the evening hours. The disabled cannot move into the core areas because no more housing exists. Another concern is that in the past 12 years she has gotten her college degrees, been active in the DFL and does advocacy at the Legislature. Those activities would have to be cut back and her political science degree would not be used. She is also concerned about the person who must work at a certain place and cannot change residence. Her husband, who works at the Star Tribune and is disabled, is 22 miles from home. A change of fares will cost him \$200 per month. For the past 25 years they have paid taxes and she would become a prisoner in her home. She urged the rest of the disabled community to consider other means of making up the budget crunch. People should contact their city hall to find out who their legislators are and contact them.

Wedell said RTB is getting a story it already knows; we are faced with the fare increase or cut back in service. Contacting legislators was mentioned, but another issue is the American with Disabilities (ADA) legislation. We are faced with trying to get a strong message to the Legislature and it may take a lawsuit to determine what is fair and required by law. As long as that concern is there, we are going to have a problem. Legislators are concerned about the growth in usage. We have received negative responses from them and questions on how we will cut service. We are trying to live with the law and the funds available. It may take legal action to resolve some questions.

Hazel Scharmer said nothing has been mentioned about senior citizens who are also on limited incomes. She lives in Anoka and cannot go to the eye doctor in the afternoon. Raising fares and cutting routes will have a strong effect on people who live farther out of the core cities.

Tom Zozel, Vice Chair, representing Leroy Marshall, Minneapolis Advisory Committee for Persons with Disabilities, said the committee endorsed Option C with the understanding it is a major concession by the group and cannot go any higher. Riders will accept a certain increase if the RTB and Legislature can deliver the service. RTB should be commended for looking at options. One issue that should be raised is the possibility of legal action under ADA. It is imperative that RTB postpone any action until it is known whether RTB will be the administering agency or whether the agency will be placed under the Administrative Procedures Act. In other words, if RTB is not continued, it would be hard to dispute any action.

On the issue of long distance fares, unless there is a sliding scale fee a lot of people in the low-income category would pay \$55 per month. According to the RTB's Illium study, over 60 percent of riders are earning less than \$10,000 per year.

Speaking on behalf of the M.S. Society, Zozel urged support for Option C.

Karen Kurth expressed support for Option A. She sometimes goes to Minnetonka and has had several different fares charged. Very often rides are late. If they shut down at 6:30 and the ride has not come, what can the rider do? RTB needs more input from the riders.

Jan Bourgerie, a Holmes Greenway resident, said she would support Option C, but she is concerned that service should not stop any earlier than the present schedule.

Kay Stoll read her letter into the record (Exhibit B).

Laura Colbert, Eagan, offered to cooperate with anyone who wishes to start a class action suit.

Helen Hilstead, St. Louis Park, lives in a nursing home. Any increase in support goes to offset nursing home costs. She appreciates the ability to go out and would be severely limited without the service.

Ms. Hilary said she would have liked to see all the proposals before the meeting. Her basic concern is about the fare increase. She understands the budget cut backs and the necessity to raise fares, but is opposed to differentiating between standing orders and demand orders. The assumption is that standing order users are employed and can afford to pay more. Many of them work in sheltered workshops or at very menial pay. Many are also on limited budgets, others rely on Metro Mobility and are volunteers or they go to medical appointments. She also opposes a differential for fares for peak- and non-peak hours. It is unfair to penalize people who must travel at peak times. She works as an advocate and tries to schedule off-peak when she can. Most people who work or go to school do not have a choice of times. She encouraged RTB to look at ways to run the system more efficiently. She is encouraged by the proposal to divide the system into three different categories.

Regarding the service area cutbacks, she is concerned that legally RTB is not required to provide more service for Metro Mobility than for MTC riders. However, the board should consider that the disabled do not have other transportation alternatives. Metro Mobility is their sole mode of transportation. The ADA said communities may provide more service than is mandated by law.

A member of the audience, who did not state a name, said life does not stop at 6 p.m.. Disabled people have had to wait until the 1990's to get their rights and now they are being cut back. There are a lot of abuses, just as there are for student aid. The system needs to be weeded out. Option C is the preferred option. All providers should make call-backs and let people know about their trips.

A woman in the audience said she knows of people who should not be certified and the system should be tightened up. The Minneapolis/St. Paul area has a model system and we need to go forward rather than backward. If the fares are increased the burden will be shifted to other programs. Some people who would get jobs will not do so because it will not be economically feasible. We need to educate the public about the service.

Rosemary Daly, South Minneapolis, said mainline bus service off-peak bus fare is \$.25 and it is illegal to charge more. The chair said the rate for the general consumer on the bus is \$.85.

Rosie Smith Pilig, Northwest Hennepin County Senior Program Director, said the burden will fall on her service, which has already absorbed cutbacks this year. Their service may be so overburdened they will be forced out of the system.

Dean Linnell, a Suburban Paratransit driver, said he serves many senior citizen clients. Because they can go out every day they are able to live independently in their own homes.

Ron Biss asked how much effort RTB put into selling the success of the Metro Mobility program. It is one of the lowest cost systems in the nation with high demand, which proves the success of the program.

Ken Arntzen, Brooklyn Center, spoke against the Trip Assurance program. People are not notified when or who will pick them up. He has been stranded half a dozen times and people do not know who to call.

Lee Parish said he uses the system almost every day for work and many other activities and believes her experience is the same as that of many other clients. She spends approximately \$60 per month for paratransit service. It is not fair that the cost to an able bodied person would be \$30.

Elizabeth Smith, Minnetonka and Eden Prairie, said she works in Minneapolis and would have to quit her job because her income is so low. The 6:30 p.m. cut off is not good. The whole thing stinks.

Peggy Wilson, Minneapolis, said that in the next ten years public bus lines will be accessible and that is a great move for independence. She asked who will help if riders are harassed on street corners. Another issue is that she is looking for a new job. She cannot get to job interviews because they are during peak hours and it is hard to make an employer understand how hard it is to get to work.

Sharron Hardy, added to her earlier testimony that two years ago she worked for a provider for the Metro Mobility system who was forced out of the system. Her additional concern is the proposal to increase fares and lower the subsidy to providers, which will force them out of the system. Many fewer providers would want to or would be able to provide the service. If we lose them we will lose the ability to obtain rides, competition between providers and better service. There is no incentive for a provider to do a better job. The drivers' wages are already very low.

David Cassidy asked about funding and whether other resources have been sought out such as the State Lottery. Also, he recognizes the independence afforded by the the MTC accessible lines, but given the budget cutbacks, does not believe that effort should continue. The chair said federal law required that all new buses be lift-equipped. A woman in the audience asked what zone Anoka is in: Kouneski said it is in Area 2 and receives MTC service in the evening and would not be affected by the cutback in evening hours.

The chair thanked the audience for coming and noted that there is another public hearing scheduled in St. Paul on March 25. The public record will close on March 29, 1991.

There being no other people wishing to speak, the meeting was adjourned. Written comments are kept on file at the RTB office.

Respectfully submitted,

Mary Fitzgerald
Secretary
Regional Transit Board



REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Meeting of the
POLICY COMMITTEE
Mears Park Centre, Room A
March 25, 1991

MEMBERS PRESENT: Elwyn Tinklenberg, Chair; Doris Caranicas; Sandra Hilary; Terrance O'Toole; Norbert Theis

OTHERS PRESENT: Michael J. Ehrlichmann, John T. Finley, Ruth Franklin, and Richard Wedell, Regional Transit Board (RTB); Michael J. Monahan, City of Minneapolis; Arnie Entzel, Amalgamated Transit Union; Karen Lyons and Emil Brandt, Metropolitan Council; Mary O'Hara Anderson; Dennis Tollefsbol, Greg Failor and Bruce Nawrocki, Metropolitan Transit Commission; Gregory Andrews, Judy Hollander, Howard Blin, Garneth Peterson, Stefanie Eilers and Mary Fitzgerald, Regional Transit Board staff

The meeting was called to order at 4:05 p.m. and roll taken. O'Toole moved and Caranicas that the agenda be approved; the motion carried unanimously.

CITY OF MINNEAPOLIS URBAN MASS TRANSIT ADMINISTRATION GRANT APPLICATION, PHASE II NICOLLET MALL SHUTTLE PROJECT

Blin reviewed the March 18, 1991 staff report. Monahan responded to the staff report and recommendation and discussed the reasons for the city's support of the project. Hilary said that there has been a hiatus in downtown development, but as that ends and with the new businesses that are considering moving in, the city will have to be able to handle the increased traffic. There was discussion of increasing the use of car and van pools and the allocation of space in city-owned parking ramps to be used only for Rideshare vehicles. O'Toole moved and Theis seconded:

That the Policy Committee recommend:

That the Regional Transit Board approve the application from the City of Minneapolis for Urban Mass Transportation Administration Section 3 capital funding in the amount of \$8,000,000, and

That the Regional Transit Board approve an amendment to the 1991-1993 Transportation Improvement Program to incorporate the Nicollet Mall Shuttle Project, Phase II.

Tinklenberg said he does not want to assume additional expenses into the MTC budget without some clarifications. Ehrlichmann asked that the MTC prepare a formal response as to the cost of the program. Vote was taken and the motion was unanimously approved.

Policy Committee
March 25, 1991

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There being no other business, motion was made, seconded and approved that the meeting be adjourned at 5:10 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Policy committee meeting of meeting of March 25, 1991.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this 15th day of April 1991.



REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Special Meeting of the
REGIONAL TRANSIT BOARD
Mears Park Centre, Room A
March 25, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Doris Caranicas; John T. Finley; Ruth Franklin; Sandra Hilary; Terrance O'Toole; Elwyn Tinklenberg and Richard Wedell

MEMBERS EXCUSED: Ed Kranz and Norbert Theis

OTHERS PRESENT: Arnie Entzel, Amalgamated Transit Union; Mary O'Hara Anderson; Bruce Nawrocki, Metropolitan Transit Commission; Gregory Andrews, Judy Hollander, Howard Blin, Stefanie Eilers and Mary Fitzgerald, Regional Transit Board staff

The meeting was called to order at 5:20 p.m. The chair said the meeting is for the purpose of updating the board on current legislative activity only. At the board retreat it was thought that more information would be available at this point.

DISCUSSION OF TRANSIT LEGISLATION

O'Hara Anderson said the Metro Mobility report is now being typed. There are approximately 18,000 certified clients of Metro Mobility and a large number of them fall into a category of not having a codeable disability. The board should consider establishing a certification panel. Many of the problems that have developed are related to use of the system by nursing homes to transport people who should not be traveling unattended. That policy should be reviewed, although cost savings would not be great. The first draft of her report will be complete April 15 and the final report is due at the end of May.

The chair reported on his meeting with Commissioner of Human Services, Natalie Steffen. The commissioner and legislators have encouraged a proposal for creation of a task force to examine paratransit services and dealing with issue such as certification, growth, duplication of service. Staff is preparing a proposal for the board.

Board members were encouraged to attend the upcoming town meetings that have been scheduled to receive the concerns and comments of those portions of the population who are often overlooked in planning transit services and are often entirely dependent upon transit service. Nearly all the meetings are co-sponsored by groups that represent ethnic minorities. The focus of the meetings will be on service issues.

A meeting has been scheduled for April 4, at 5:00 p.m., at the State Office Building with Opt-Out communities and legislators representing those communities.

The chair discussed his meetings in Washington, D.C. with the congressional delegation on light rail transit and the Hennepin County proposal for Northwest Corridor. Within the board-adopted LRT Coordination Plan individual counties and railroad authorities are permitted to proceed with the development of a corridor if they identify a funding source other than state or regional funds. The proposal has been submitted to the Joint Light Rail Transit Advisory Committee, which has taken no action, but it has not been presented to members of the Hennepin County Board.

In response to Hilary's question, Munyon said the debate at the Joint Light Rail Transit Advisory Committee meeting focused on a motion on reexamining the position in the Coordination Plan.

The chair said that every five years there is a Surface Transportation Authorization by the federal Public Works Committees wherein they authorize the dollars on those kinds of projects. The impetus for Commissioners Andrew and McCarron was to identify the least expensive corridor and the request to Congressman Oberstar was to earmark \$30 million annually for two years (\$60 million) to be matched by \$190 million from Hennepin County to be raised with the sale of bonds to be serviced with their two mill levy. They, or any other county, can pursue that. RTB's interest would be if there are strings on the funds. There is no way to measure the potential success of this initiative at the federal level. It must be accomplished within 22 days. Oberstar has said that he needs an indication on a single priority corridor from the metro congressional members.

Munyon distributed copies of the Omnibus Transportation Bill by Senator Langseth and Representative Kalis and reviewed its major elements. The chair asked members to bring a motion to the board at its next meeting if they have any recommendations.

Andrews distributed the Kelso bill regarding Opt-Out transit service programs.

There being no other business, Tinklenberg moved and Caranicas seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 6:00 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's special meeting of March 25, 1991.

Respectfully submitted,

Mary Fitzgerald
Secretary
Regional Transit Board

Approved this 15th day of April 1991.



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

Minutes of the Public Hearing of The
REGIONAL TRANSIT BOARD
Mears Park Centre Chambers
March 25, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Doris Caranicas; Sandra Hilary; Terrance O'Toole; Ruth Franklin, Elwyn Tinklenberg and Richard Wedell

OTHERS PRESENT: Greg Andrews, Judy Hollander, Ed Kouneski, Cyndie Mayer, Cynthia Curry, Virginia Beach and Mary Fitzgerald, Regional Transit Board (RTB) staff

The chair called the hearing to order at 6:30 p.m. The Regional Transit Board (RTB) is mandated to hold a public hearing when significant service changes are proposed. A fare increase has been proposed in response to the difficult financial situation in the state's budget. The demand for paratransit service has tripled in the last three years and some legislators have serious concerns about the amount of money required to fund this service. Kouneski explained the fare options and proposed service cuts.

Public Testimony

Jerry Hayes, representing the Minnesota Senior Federation, said the federation has reviewed the options and their transportation committee's decision, which was endorsed by the delegate assembly, is that Option C is the most acceptable. Option A was felt to adversely affect those who go to school, are employed or have to go to the same place every day. Regarding service changes, the federation found them agreeable. The clause that only wheelchair trips would be guaranteed is discriminatory.

Terry Krumheuer said she uses Metro Mobility four to five days a week. Option B would be best because she lives on Social Security disability payments. She volunteers at the M.S. Office and if the fare is raised any more she cannot go as often and would have to stay home. She also uses the system to attend school at night.

Roger Blohm, Chair of the United Handicapped Federation (UHF) Transit Task Force, said the Americans with Disabilities Act (ADA) was passed in 1990 and it bothers him that here in Minnesota we are considering going backward. A fare increase is being considered for the users who are already financially strapped. Many work at minimum wage or less. Those in school have an income of \$425 per month to live and transport themselves. According to a 1990 transportation study, impaired seniors have an income of less than \$10,000 per year. RTB is considering cutting their time, which is their lock up time. If your friends live in the core cities there is no problem, but otherwise you cannot visit them. The cab service has not been too friendly. When UHF agreed on increased fare, it would have taken care of the \$600,000 shortfall, but now it appears the shortfall will be greater. He asked if RTB and Metro Mobility Administrative Center operations will be cut back.

The blind, disabled and impaired seniors need to be mainstreamed by Metro Mobility to have a good life. Ehrlichmann noted that RTB's budget has been cut back by 25 percent.

Tina Hawkins commented on how the changes would adversely affect her life. She is looking for full-time employment and without Metro Mobility it would not be a consideration. If the fares increase her job prospects will be closed down. She asked the board to consider this aspect of providing this service as an important service for job seekers.

Mark Hughes spoke against increasing the demand ride cost for trips over 12 miles.

Kurt Strom, speaking for himself, thanked the board members for attending this hearing. It is fair that the Metro Mobility community experience a fare increase since MTC fares were increased recently, but the options go beyond fairness and call for a greater increase for paratransit. Either Option B or C is preferable because they spread the pain more equally. Unlike Metro Mobility passengers, MTC riders are not penalized for living outside Minneapolis and St. Paul. He strongly opposes limiting the discount coupon to those on a limited income. When Metro Mobility expanded a few years ago to include the entire Metropolitan Transit Taxing District there was a commitment to provide service to everyone. Regarding the taxi scrip program, he believes people should use cabs whenever possible. However, this proposal is a 50 percent increase for the rider, and it is probably discriminatory against people with other types of disabilities.

The chair read David Lundeen's letter (Exhibit A).

Lynette Lijewski said she acknowledges the need for hikes in the fares; however, she has two part-time jobs eight and 12 miles from home. If Option A is adopted, half of her earnings would go to transportation. She uses the system approximately 60 times a month. She proposed the base fare be raised to \$2 for all kinds of orders. Further, she proposed that the providers set up a barter system for riders and that partnerships be developed with the private sector to ensure continuation of the system. A task force should be set up composed of Metro Mobility providers, RTB, and each segment of the ridership. A partnership should be considered that will make the system more cooperative.

Robert Cox asked that the fare not be increased because he has difficulty in handling change and a dollar is easier to handle than a bill and two quarters.

Claudia Fuzlie, Robbinsdale, read a statement. She compared the costs of regular route and paratransit trips. The law requires that fares be comparable and she asked the board to reconsider.

Wanda Rosa agreed with the rate increase but would not support cutting back hours because that would eliminate her social life and isolate her. She said she does not expect that prices will remain the same from year to year.

Tom Markovich said he has a problem with changing hours after 6 p.m. His children have activities and he would like to participate. His life would be more difficult if his social life were ruined. He would also support retaining the coupon program.

Jim LeTourneau, President, Yellow Taxi and Checker Cab, expressed his concern about the fare options. He prefers Option C, but recommended that the \$2.00 fare be changed to \$1.50 across the board. On Saturday he drove some of the Metro Mobility clients. They like to go swimming and to evening classes, so cutting hours would hurt them. His main concern is over the taxi scrip, of which he strongly disapproves. The passenger would have to pay \$4.00 or \$5.00 every trip, which is unfair to everyone, but particularly anyone who travels more than 12 miles.

Steven Greeley said he knows more money is needed, but some segments of society will be affected more than others. People in nursing homes would be badly affected by an increase and the taxi cab programs should be reviewed. People who are paying disproportionately should be identified so the cost is born equitably.

Ann Hipp said she is on a fixed income and has no money for rate increases.

A member of the audience spoke for people in nursing homes who have very little money and will be unable to get to doctor's appointments.

Janie (inaudible) spoke against the rate increase.

Mark Serber spoke for three people from Blaine. The biggest hardship would be elimination of night time hours. The Anoka Traveler can only take two wheelchairs and they are forced to go separately to events held outside Anoka. They would accept rate increases, but not time changes.

Donna Petit said she is a widow and on her own. If the price is raised too much she will be forced out of her activities. If the hours are cut back to 6:30 p.m. she would not be able to get around at all.

A Minneapolis resident spoke on behalf of raising the certification fee.

Mark Hughes agreed that Metro Mobility is a great program.

Tom Markovich asked if the service would improve if the fares are increased because he has had some terrible service.

Ehrlichmann encouraged people to contact their legislators with their concerns. He reminded them of the transit rally to be held April 11 at the Capitol.

Hilary said the hearing has been a good opportunity to hear riders' concerns and congratulated people on their presentations. She suggested that people may wish to start asking for funds from the lottery.

There being no other business, the meeting was adjourned at 7:40 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's public hearing on March 25, 1991. All written comments are on file with the secretary of the board.

Respectfully submitted,

Mary Fitzgerald
Secretary
Regional Transit Board



REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Meeting of the
REGIONAL TRANSIT BOARD
Mears Park Centre Chambers
April 1, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Ruth Franklin; Sandra Hilary; Terrance O'Toole; Norbert Theis; Elwyn Tinklenberg

MEMBERS EXCUSED: Doris Caranicas, John T. Finley, Ed Kranz and Richard Wedell

OTHERS PRESENT: Charles R. Weaver, legal counsel; Dirk deVries, Metropolitan Council; Arnie Entzel, Amalgamated Transit Union; Mary O'Hara Anderson; Bev Auld and Greg Failor, Metropolitan Transit Commission; Sherry Munyon, Gregory Andrews, Judy Hollander, Howard Blin, Dale Ulrich, Cyndie Mayer, Stefanie Eilers, Becky Scudder and Mary Fitzgerald, Regional Transit Board staff

APPROVAL OF AGENDA

The meeting was called to order at 4:05 p.m. and roll was taken. O'Toole moved and Hilary seconded that the agenda be approved. The motion carried unanimously.

APPROVAL OF MINUTES

O'Toole moved and Theis seconded that the minutes of the following meetings be approved:

1. Regional Transit Board Meeting of March 4, 1991
2. Administration and Finance Committee Meeting of March 11, 1991
3. Regional Transit Board Meeting of March 18, 1991

The motion was unanimously approved.

CHAIR'S REPORT

Legislative Report

Munyon distributed copies of the Ramsey County light rail transit (LRT) bill. The bill puts the commissioner of the Minnesota Department of Transportation in charge of LRT and imposes a one-half of one percent sales tax in the metropolitan counties with half of those taxes for LRT and coordination of transit in the metropolitan counties, 25 percent to housing and redevelopment authorities for housing assistance purposes, five percent to the Metropolitan Parks and Open Space Commission and 20 percent to the board of the arts for use in the metropolitan counties. Munyon distributed a draft bill creating a Joint Metro Mobility Advisory Committee to conduct a feasibility study of the

consolidation and coordination of the existing Metro Mobility service trips with the existing Department of Human Services medical assistance services trips. The chair encouraged members to call him with their comments. He recommended that the board take a position on the Opt-Out legislation and the High Occupancy Vehicle (HOV) component of the Transportation Study Board bill.

Regarding the Joint Metro Mobility Advisory Committee, Hilary said this appears to be the beginning of looking for a more permanent source of funding.

Ehrlichmann said the purpose of the April 4 Opt-Out meeting with affected legislators is to discuss their concerns and possible lack of communication. A bill has been submitted on the Opt-Out programs and the board will have to take a position on it. He encouraged members to attend the April 4 meeting.

Munyon said there are two other LRT bills under consideration: one on the 35W corridor, and the other, authored by Senator Frank, on Metro Agency Governance and light rail transit. Neither bill has been introduced.

Driver of the Month - Reggie Fox

O'Toole presented the Driver of the Month award to Reggie Fox from Ebenezer Society Transportation.

REPORT OF THE POLICY COMMITTEE

City of Minneapolis Urban Mass Transit Administration Grant Application, Phase II, Nicollet Mall Shuttle Project

Tinklenberg moved and O'Toole seconded:

That the Regional Transit Board approve the application from the City of Minneapolis for Urban Mass Transportation Administration Section 3 capital funding in the amount of \$8,000,000; and

That the Regional Transit Board approve an amendment to the 1991-1993 Transportation Improvement Program to incorporate the Nicollet Mall Shuttle Project, Phase II.

Andrews said there was a great deal of discussion last week on the shuttle. Most questions revolved around the operating cost. The actual cost of Stage I during peak hour morning, noon and peak afternoon is \$966,000,. The 35W buses would terminate at the south terminal and the north terminal with a projected \$600,000 savings and a net cost of \$366,000. MTC was asked to determine exactly what those costs would be and they have indicated the actual savings to be \$96,000. The chair expressed concern about the parking policy.

Tinklenberg moved and Franklin seconded to amend the main motion as follows:

1. That the City of Minneapolis reimburse the Regional Transit Board for the net cost to the Region of shuttle operations for the first 18 months with cost sharing arrangements to be negotiated pending successful completion of the demonstration.

2. That the City of Minneapolis and Metropolitan Transit Commission refine estimated shuttle operating costs and report those costs to the Regional Transit Board by June 1, 1991.
3. That the Metropolitan Transit Commission review and comment on all plans and specifications for shuttle vehicles and any facilities associated with shuttle operations.

O'Toole called a point of order, stating that the mover of a motion cannot amend that motion and asked if the intent is that the board would approve the motion made at the Policy Committee meeting. The chair ruled that the motion had become the board's motion and that it would be approved contingent upon the conditions in the Tinklenberg/Franklin amendment. The City of Minneapolis would bear the costs over and above any cost savings. Tinklenberg said the committee discussed projected savings and realized that the RTB could not be absolutely certain of what the additional funds required from the city would be. It is appropriate that the additional costs over and above savings are absorbed by the city. They have indicated that is acceptable to them. At this point the board is approving the federal grant application.

Hilary said these conditions are in line with the discussion from the very beginning. If a problem develops the matter can be brought back to the board for more discussion. Vote was taken on the amendment; the motion was unanimously approved. Vote was then taken on the main motion as amended:

That the Regional Transit Board approve the application from the City of Minneapolis for Urban Mass Transportation Administration Section 3 capital funding in the amount of \$8,000,000, and

That the Regional Transit Board approve an amendment to the 1991-1993 Transportation Improvement Program to incorporate the Nicollet Mall Shuttle Project, Phase II, contingent upon the following conditions:

1. That the City of Minneapolis reimburse the Regional Transit Board for the net cost to the Region of shuttle operations for the first 18 months with cost sharing arrangements to be negotiated pending successful completion of the demonstration.
2. That the City of Minneapolis and Metropolitan Transit Commission refine estimated shuttle operating costs and report those costs to the Regional Transit Board by June 1, 1991.
3. That the Metropolitan Transit Commission review and comment on all plans and specifications for shuttle vehicles and any facilities associated with shuttle operations.

The motion was unanimously approved.

OTHER BUSINESS

There being no other business, Hilary moved and Tinklenberg seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 4:30 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's meeting of April 1, 1991.

Respectfully submitted,

Mary Fitzgerald
Secretary
Regional Transit Board

Approved this 15th day of April 1991.



REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

At its meeting of April 8, 1991 the committee discussed and approved the following recommendations:

Senior Transportation Program 1991 Contract Amendment

That the Administration and Finance Committee recommend:

That the Regional Transit Board amend its 1991 contract with the Senior Transportation Program (Contract 90/12/17-43) in an amount not to exceed \$19,053.

1991 Capital Fund Contract with the City of Plymouth

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize its executive director to enter into a capital funding agreement with the City of Plymouth in an amount not to exceed \$80,000 for calendar year 1991 and amend the 1991 RTB capital budget accordingly.

1990 Southwest Metro Transit Commission Operating and Capital Contract Amendments

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize its executive director to amend Southwest Metro Transit's 1990 operating contract (Contract No. 89/12/04-16) by a total of \$11,219 from \$982,856 to \$993,856 and amend the 1990 capital contract (Contract No. 89/12/04-16) by a total of \$16,371 from \$96,000 to \$112,371.

Shakopee 1990 Contract Amendment

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize its executive director to amend the 1990 Shakopee contract (Contract No. 89/12/04-15) by a total of \$1,859 from \$216,640 to \$218,499.

Other Business:

The committee discussed the Metro Mobility Administrative Center 1991 Contract and agreed to lay the matter over until the next meeting.

Ruth Franklin
Chair



REGIONAL TRANSIT BOARD
Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101
612/229-2700

Minutes of the Special Meeting of the
REGIONAL TRANSIT BOARD
Mears Park Centre, Room A
April 8, 1991

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; John T. Finley; Ruth Franklin; Ed Kranz; Terrance O'Toole; Norbert Theis and Elwyn Tinklenberg

MEMBERS EXCUSED: Doris Caranicas, Sandra Hilary and Richard Wedell

OTHERS PRESENT: Greg Korstad, legal counsel; Emil Brandt, Karen Lyons and Nacho Diaz, Metropolitan Council; Arnie Entzel, Amalgamated Transit Union; Mary O'Hara Anderson; Carole Faricy, Michael Christenson, Beverly Auld and Greg Failor, Metropolitan Transit Commission; Beverley Miller, Southwest Metro Transit; Sherry Munyon, Gregory Andrews, Judy Hollander, Stefanie Eilers, Suzanne Hanson, Becky Scudder and Mary Fitzgerald, Regional Transit Board staff

APPROVAL OF AGENDA

O'Toole moved and Tinklenberg seconded approval of the amended agenda that had been distributed before the meeting.

Parking Space Tax

The chair distributed a draft of a bill (Exhibit A) that would impose a parking tax in the Metropolitan Area with the proceeds dedicated to funding transit activities and asked the board members to consider exploring this initiative. There has never been a thorough study of parking in the Metro Area, but staff has roughly estimated that there are approximately half a million spaces. An annual \$25 tax on each space would raise approximately \$12.5 million, enough to balance our levy shortfall for the biennium and enable the RTB to operate its programs. Members discussed the issues of fairness, local governments' responsibility and creating disincentives to use of single-occupant vehicles. The chair said he is requesting that the board allow him to seek an author for the bill. O'Toole moved and Theis seconded:

That the Regional Transit Board authorize the chair to include a parking space tax as part of the board's legislative program.

The motion was approved (Tinklenberg and Finley voted nay).

Amendments to Opt-Out Transit Bill

Andrews distributed the executive summary prepared by Southwest Metro (Exhibit D). (Discussion was interrupted and resumed later in the meeting.)

Light Rail Transit

Munyon distributed copies of a bill authored by Reps. Dawkins, Mariani, and Hausman and the report on the actions taken by the Joint Light Rail Transit Advisory Committee at its meeting of April 3, 1991, along with a draft of proposed language to amend Article 7 of S. F. 598. Finley said the advisory committee indicated the effect would be that Hennepin County would be the only county that could do it because they can provide the local match. The advisory committee took the position to seek a sales tax and use it for the Central Corridor. If federal funds are available they would be used for the Central Corridor. If the state money is available it would be used as a match. Munyon said the sales tax would go into effect if the federal match is secured. The revisor is working on the final draft.

Finley said it was never the intention that the Central Corridor would be built only if we get a federal match. The advisory committee's position is totally consistent with what it always was; the only caveat for federal funds is we would use that for local match as opposed to property tax.

Ehrlichmann said the initiative to offer the amendment with joint powers provisions has been tied to the 30 percent federal funding prerequisite. Tinklenberg said that federal funds are contingent on local funds. Munyon said the amendment removes the cap on the demonstration project but ties it to federal funds. Finley said some flexibility is needed to get the project moving and he does not think the board should take a position on any proposals because the situation did not change. The advisory committee reaffirmed it, saying that in addition to the state paying for the Central Corridor, it can also be used as a match on the overmatch program. Tinklenberg said the local match has to be identified before you get local money. Tinklenberg said he cannot support the amendment since it is not consistent with the Joint Light Rail Advisory Committee's action on our plan. Ehrlichmann said the legislature will only commit itself to one corridor. Finley asked where the language came from. Korstad said he drafted it.

In regard to the issue Tinklenberg raised, the intention was that passage of this legislation would set in motion a mechanism that would automatically impose a sales tax upon receipt of certification from the RTB that federal funds were available. The thought is to use this enactment to show the federal government that the local match is there and is unequivocal. It is his understanding the two should be tied together. Munyon said they wrote it in response to the motion of the advisory committee. Finley said those are two different things: funding for the central corridor and providing the overmatch for the Central Corridor. The motion says it will be used for the local share of the overmatch. That is the only action the advisory committee took.

John Derus, Chair of the Joint Light Rail Transit Advisory Committee, arrived. Finley asked him for his understanding of what the committee did. Evidently RTB thinks the committee recommended that a sales tax would only be used if federal funds were available. Derus said his understanding was that the sales tax will be requested whether or not federal funding is obtained. Ehrlichmann said that continues to be the RTB position. It is a question of finding a situation where we could get an author for a bill and get this off dead center. He does not know if Hennepin County pursued an amendment to the Langseth bill. Derus said the advisory committee wants the sales tax regardless for LRT in the Central Corridor first. They would also like to have it to use for local overmatch for federal funding. If that can be done, building could start. We could fund the Central Corridor. Hennepin County is lobbying to do it immediately and working on the other recommendations as well. Ehrlichmann said RTB never had a position that the sales tax would be contingent on federal funding.

Regarding concerns about Article 7, Derus said everyone is hesitant to delete an article, but a state law was passed two years ago stating what would be done. The advisory committee and the board did everything they were directed to do. Article 7 of this bill does not even mention that any of this exists or acknowledge any of the hard work and broad support.

The chair said he would entertain a motion to adopt the recommendations of the Joint Light Rail Advisory Committee. O'Toole moved the recommendations of advisory committee (below); Tinklenberg seconded:

That the Regional Transit Board reaffirm the regional LRT plan previously adopted by the committee and the Regional Transit Board.

That the Regional Transit Board vigorously seek legislation for a regional sales tax to fund the Central Corridor and provide the local overmatch for federal funds; in the event that such is not available by the time necessary under the federal guidelines, any unit of government within the metropolitan area could pursue federal funding for construction of light rail transit.

As the regional plans call for development of light rail transit in the I-35W corridor in conjunction with planned highway improvements in the corridor, the Joint LRT advisory committee supports entering I-35W in the traditional UMTA Alternatives Analysis process which could be completed in time for the anticipated reconstruction of I-35W, now expected to occur in the late 1990s.

The Regional Transit Board opposes Article 7~~8~~, S.F. No. 598 dated 04/02/91 (SCSO598A11), page 31, line 34 through 41, line 22 and supports instead the incorporation of the recommendations of the Regional Transit Board.

Finley said that if a clarifying clause was included, the language would be clearer and avoid confusion as legislation is sought for a regional sales tax. He offered a friendly amendment to add the phrase shown below (underlined):

That the Regional Transit Board vigorously seek legislation for a regional sales tax to fund the Central Corridor. The sales tax is to be used to fund the Central Corridor. Also, it shall be used to provide the local overmatch for federal funds. In the event that such is not available by the time necessary under the federal timelines, any unit of government that could provide the local overmatch funds within the Metropolitan Area could pursue federal funding for construction of light rail transit.

Derus concurred that it would be helpful. With that understanding, the chair called for a vote on the motion as amended. The motion was unanimously approved.

Derus apologized for not having arrived earlier, but freeway construction has delayed traffic. The chair explained Finley's concern that Section 6 should be deleted.

Tinklenberg said questions could be addressed by deleting Subdivision 3. Finley said the board should take no action on any bill because there are so many versions. The chair said he would like the board to have some language that it could accept. He suggested striking the word "only" in Subd. 3 {USE OF TAX PROCEEDS} The federal government would have to accept this as a local match. Tinklenberg said the Regional Transit Board has a position and it is consistent with that of the Joint Light Rail Transit Advisory Committee. Ehrlichmann said we do not have a bill other than the Langseth bill. This week is the last opportunity to submit a bill to a policy committee. Finley said he thought we had a bill drafted; now there is another bill being introduced. The language, by tomorrow, may not be the same. There is no sense trying to amend it.

Amendments to Opt-Out Transit Bill

Kranz said the term "Opt-Out" incorrectly implies that those communities are no longer in the service area. For the last ten years the Legislature has been saying that something has to be done to improve suburban service. Without the initiative of these communities there would be very limited service. The programs have worked very well, but in the more recent past they have been held back by red tape and attempts were made to cut their funding. While he disagrees with some aspects of the proposed bill, i.e., Page 4, lines 14 through 21, regarding the disposition of unspent assistance, he said the overall intent of the bill is to give communities the ability to manage their own and requested that the board support it. Kranz moved and Tinklenberg seconded:

That the Regional Transit Board supports the passage of H. F. 1021, A bill for an act relating to metropolitan transit; providing for financial assistance to and the administration of opt-out transit service programs; amending Minnesota Statutes 1990, sections 473.375, subdivisions 13 and 15; 473.377, subdivision 1; and 473.388.

Franklin asked which version is intended. At the meeting last week a version was distributed and today she received a fax of amendments to it. The amendments consistently removed the word "replacement." If the motion relates to the Thursday version she would speak against it because the bill completely removes important metropolitan oversight and contains a provision that unspent funds will be kept by the transit agencies for two years and revert to the State General Fund. Ehrlichmann said this has to be a regional transit system. Because of failures on someone's part in 1981, some non-Opt-Out suburbs are considering this legislation.

The chair asked if the bill exempts the communities from RTB enforcement of performance standards, fare structure, and reciprocity with other transit systems. Andrews said the present bill exempts communities from performance standards but the proposed amendments would alter that. They could also set their own fares and grant or withhold reciprocity privileges. Ehrlichmann added that RTB would lose access to the unspent revenue and would be adversely affected. Kranz said the communities were treated so poorly by RTB staff there may not be either suburban transportation or a regional system if this bill is not supported.

Tinklenberg said the Anoka Traveler service is part of the overall transit planning and receiving good return. He expressed concern over this kind of legislation because it tends to piecemeal the system. The ability to provide regular route service into the central cities could be damaged and in the long run everyone would suffer. The RTB takes direction from the lawmakers and should not take positions on this kind of legislation.

Theis said since Opt-Out the ridership in the Shakopee area went from nine per day to 260. This bill confirms that those people have a right to get the kind of service they want.

Finley offered an amendment to page 4, lines 20 and 21, that in the event there is unspent assistance it be returned to the RTB rather than the state fund. His support would be contingent upon that. Kranz seconded the Finley amendment. O'Toole moved to table the matter; Tinklenberg seconded the motion. The motion carried with Theis, Kranz and Finley opposed.

Kranz said the official position is that RTB has taken no position on the legislation. He asked if a conflict would be created if a member took a position on parts of the bill as an individual. Ehrlichmann said the board has adopted policies that stand in opposition to these proposals. Franklin said not all the Opt-Out communities support the legislation. Kranz disagreed.

There being no other business, Tinklenberg moved and O'Toole seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's special meeting of April 8, 1991.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this _____ day of _____ 1991.

FYI @ B

1 fines or forfeited bail money, on or before the tenth day after
2 the last day of the month in which the collections were made, to
3 the county treasurer of the county where the violation
4 occurred. Five-eighths of these receipts shall be transmitted
5 by that officer to the state treasurer and shall be credited to
6 the-highway-user-tax-distribution-fund as follows: 62 percent to
7 the transportation services fund; 29 percent to the county
8 state-aid highway fund; and nine percent to the municipal
9 state-aid street fund. Three-eighths of these receipts shall be
10 credited to the general revenue fund of the county.

11 Sec. 16. [EFFECTIVE DATE.]

12 Sections 1 to 15 are effective July 1, 1991.

13 ARTICLE 7

14 METROPOLITAN TRANSPORTATION DEVELOPMENT

15 Section 1. [174.35] [LIGHT RAIL TRANSIT.]

16 The commissioner of transportation may plan, acquire,
17 construct, and equip light rail transit facilities in the
18 metropolitan area as provided in sections 473.399 to 473.3996
19 and sections 1 to 9 and may exercise the powers granted in
20 chapter 174 as necessary for this purpose. The commissioner
21 shall review and approve all preliminary design, preliminary
22 engineering, and final design plans for light rail transit
23 facilities.

24 Sec. 2. Minnesota Statutes 1990, section 297A.02, is
25 amended by adding a subdivision to read:

26 Subd. 5. [METROPOLITAN SALES TAX.] Notwithstanding
27 subdivision 1, there is imposed an additional sales tax of ...
28 of one percent on sales at retail that occur within the
29 metropolitan counties of Anoka, Carver, Dakota, Hennepin,
30 Ramsey, Scott, and Washington, and an additional compensating
31 use tax of up to ... of one percent on uses of property within
32 those metropolitan counties, the sale of which would be subject
33 to the additional sales tax but for the fact the property was
34 sold outside the metropolitan counties.

35 For purposes of this subdivision, sales that occur within
36 the metropolitan counties do not include:

1 (1) the sale of tangible personal property that:

2 (i) without intermediate use, is shipped or transported
3 outside the metropolitan counties by the purchaser and
4 thereafter used in a trade or business or that is stored,
5 processed, fabricated, or manufactured into, attached to, or
6 incorporated into other tangible personal property transported
7 or shipped outside the metropolitan counties and thereafter used
8 in a trade or business outside of the metropolitan counties, and
9 that is not thereafter returned to a point within the
10 metropolitan counties, except in the course of interstate or
11 intrastate commerce (storage does not constitute intermediate
12 use); or

13 (ii) the seller delivers to a common carrier for delivery
14 outside the metropolitan counties, places in the United States
15 mail or parcel post directed to the purchaser outside the
16 metropolitan counties, or delivers to the purchaser outside the
17 metropolitan counties by means of the seller's own delivery
18 vehicles, and that is not thereafter returned to a point within
19 the metropolitan counties, except in the course of interstate or
20 intrastate commerce; or

21 (2) sales that would be described in section 297A.25,
22 subdivisions 6 and 21, if the words "metropolitan counties" were
23 substituted for the words "Minnesota" or "state of Minnesota" in
24 those clauses.

25 Sec. 3. Minnesota Statutes 1990, section 297A.44,
26 subdivision 1, is amended to read:

27 Subdivision 1. (a) Except as provided in paragraphs (b),
28 (c), and (d), and (e), all revenues, including interest and
29 penalties, derived from the excise and use taxes imposed by
30 sections 297A.01 to 297A.44 shall be deposited by the
31 commissioner in the state treasury and credited to the general
32 fund.

33 (b) All excise and use taxes derived from sales and use of
34 property and services purchased for the construction and
35 operation of an agricultural resource project, from and after
36 the date on which a conditional commitment for a loan guaranty

1 for the project is made pursuant to section 41A.04, subdivision
2 3, shall be deposited in the Minnesota agricultural and economic
3 account in the special revenue fund. The commissioner of
4 finance shall certify to the commissioner the date on which the
5 project received the conditional commitment. The amount
6 deposited in the loan guaranty account shall be reduced by any
7 refunds and by the costs incurred by the department of revenue
8 to administer and enforce the assessment and collection of the
9 taxes.

10 (c) All revenues, including interest and penalties, derived
11 from the excise and use taxes imposed on sales and purchases
12 included in section 297A.01, subdivision 3, paragraphs (d) and
13 (1), clauses (1) and (2), must be deposited by the commissioner
14 in the state treasury, and credited as follows:

15 (1) first to the general obligation special tax bond debt.
16 service account in each fiscal year the amount required by
17 section 16A.661, subdivision 3, paragraph (b); and

18 (2) after the requirements of clause (1) have been met, the
19 balance must be credited to the general fund.

20 (d) The revenues, including interest and penalties, derived
21 from the taxes imposed on solid waste collection services as
22 described in section 297A.45 shall be deposited by the
23 commissioner in the state treasury and credited to the general
24 fund to be used for funding solid waste reduction and recycling
25 programs.

26 (e) The revenues derived from the taxes imposed on sales in
27 the metropolitan counties under section 297A.02, subdivision 5,
28 must be deposited by the commissioner in the state treasury and
29 distributed to the commissioner of transportation to be used for
30 light rail transit purposes.

31 Sec. 4. Minnesota Statutes 1990, section 473.373,
32 subdivision 4a, is amended to read:

33 Subd. 4a. [MEMBERSHIP.] (a) The board consists of 11
34 members with governmental or management experience.
35 Appointments are subject to the advice and consent of the
36 senate. Terms of members are four years commencing on the first

1 Monday in January of the first year of the term.

2 (b) The council shall appoint eight members, one from each
3 of the following agency districts:

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

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

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

7 (4) district D, consisting of council districts 6 and 11,

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

9 (6) district F, consisting of council districts 9 and 13,

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

11 and

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

13 16 as provided in section 473.141, subdivision 2, paragraph (d).

14 At least six must be elected officials of statutory or home
15 rule charter cities, towns, or counties. Two of these officials
16 must be county board members, each from a different county, and
17 four must be elected officials of cities or towns. Service on
18 the board of a person who is appointed as an elected official
19 may continue only as long as the person holds the office. At
20 least 30 days before the expiration of a term or upon the
21 occurrence of a vacancy, the council shall request nominations
22 for the position from relevant organizations of local elected
23 officials, such as the association of metropolitan
24 municipalities, the metropolitan intercounty association, the
25 association of urban counties, and where applicable, the
26 association of townships. Each relevant organization shall
27 nominate at least two persons for each position. A local
28 governmental unit that is not a member of an organization may
29 submit nominations independently. The council shall make its
30 appointments from the nominations submitted to it to the extent
31 possible consistent with the other requirements of this
32 paragraph and with the appointment of a board that fairly
33 reflects the diverse areas and constituencies affected by
34 transit.

35 (c) The governor shall appoint, in addition to the chair,
36 two persons, one who is age 65 or older at the time of

1 appointment, and one with a disability. These appointments must
2 be made following the procedures of section 15.0597. In
3 addition, at least 30 days before the expiration of a term or
4 upon the occurrence of a vacancy in the office held by a senior
5 citizen or a person with a disability, the governor shall
6 request nominations from organizations of senior citizens and
7 persons with disabilities. Each organization shall nominate at
8 least two persons. The governor shall consider the nominations
9 submitted.

10 (d) No more than three of the members appointed under
11 paragraphs (b) and (c) may be residents of the same statutory or
12 home rule city or town, and none may be a member of the joint
13 light rail transit advisory committee established under section
14 473.3991.

15 Sec. 5. Minnesota Statutes 1990, section 473.3993,
16 subdivision 2, is amended to read:

17 Subd. 2. [PRELIMINARY DESIGN PLAN.] "Preliminary design
18 plan" means a light rail transit plan that ~~identifies~~ includes:

19 (1) preliminary plans for the physical design of
20 facilities, at approximately the ten percent engineering level,
21 including location, length, and termini of routes; general
22 dimension, elevation, alignment, and character of routes and
23 crossings; whether the track is elevated, on the surface, or
24 below ground; approximate station locations; and related park
25 and ride, parking, and other transportation facilities; and a
26 plan for handicapped access; and

27 (2) preliminary plans for intermodal coordination with bus
28 operations and routes; ridership; capital costs; operating costs
29 and revenues; and funding for-final-design, construction, and
30 operation, and an implementation method.

31 Sec. 6. Minnesota Statutes 1990, section 473.3993, is
32 amended by adding a subdivision to read:

33 Subd. 2a. [PRELIMINARY ENGINEERING PLAN.] "Preliminary
34 engineering plan" means a light rail transit engineering plan
35 that includes plans for the physical design of the facilities at
36 approximately the 30 percent engineering level; a funding plan

1 for final design, construction, and operation; and an
2 implementation method.

3 Sec. 7. Minnesota Statutes 1990, section 473.3993,
4 subdivision 3, is amended to read:

5 Subd. 3. [FINAL DESIGN PLAN.] "Final design plan" means a
6 light rail transit plan that includes the items in the
7 preliminary design and preliminary engineering plan for the
8 facilities proposed for construction, but with greater detail
9 and specificity. The final design plan must include, at a
10 minimum:

11 (1) final plans for the physical design of facilities,
12 including the right-of-way definition; environmental impacts and
13 mitigation measures; intermodal coordination with bus operations
14 and routes; and civil engineering plans for vehicles, track,
15 stations, parking, and access, including handicapped access; and

16 (2) final plans for civil engineering for electrification,
17 communication, and other similar facilities; operational rules,
18 procedures, and strategies; capital costs; ridership; operating
19 costs and revenues; financing for construction and operation; an
20 implementation method; and other similar matters.

21 The final design plan must be stated with sufficient
22 particularity and detail to allow the proposer to begin the
23 acquisition and construction of operable facilities. If a
24 turn-key implementation method is proposed, instead of civil
25 engineering plans the final design plan must state detailed
26 design criteria and performance standards for the facilities.

27 Sec. 8. Minnesota Statutes 1990, section 473.3994, is
28 amended to read:

29 473.3994 [LIGHT RAIL TRANSIT; DESIGN FACILITY PLANS.]

30 Subd. 1a. [PRELIMINARY DESIGN PLANS.] The regional transit
31 board, in consultation with the joint light rail transit
32 advisory committee, shall establish a procedure for preparing
33 preliminary design plans for light rail transit facilities. The
34 procedure must ensure that preliminary design plans implement
35 the board's regional transit plan and qualify for federal funds
36 in accordance with the board's plan, and that proposals for

1 engineering and construction projects are prepared in a timely
2 and cost-effective manner.

3 Subd. 2. [PRELIMINARY DESIGN AND ENGINEERING PLANS; PUBLIC
4 HEARING.] ~~Before-preparing-final-design-plans-for-a-light-rail~~
5 ~~transit-facility,~~ the A political subdivision ~~proposing-the~~ that
6 has prepared preliminary design and preliminary engineering
7 plans for a proposed facility must hold a public hearing on the
8 physical design component of the preliminary design plans and
9 the preliminary engineering plans. The proposer must provide
10 appropriate public notice of the hearing and publicity to ensure
11 that affected parties have an opportunity to present their views
12 at the hearing.

13 Subd. 3. [PRELIMINARY DESIGN AND PRELIMINARY ENGINEERING
14 PLANS; LOCAL APPROVAL.] At least 30 days before the hearing
15 under subdivision 2, the proposer shall submit the ~~physical~~
16 ~~design-component-of-the-preliminary-design~~ plans to the
17 governing body of each statutory and home rule charter city,
18 county, and town in which the route is proposed to be located.
19 The city, county, or town shall hold a public hearing, except
20 that a county board need not hold a hearing if the county board
21 membership is identical to the membership of the regional
22 railroad authority submitting the plan for review. Within 45
23 days after the hearing under subdivision 2, the city, county, or
24 town shall review and approve or disapprove the plans for the
25 route to be located in the city, county, or town. A local unit
26 of government that disapproves the plans shall describe specific
27 amendments to the plans that, if adopted, would cause the local
28 unit to withdraw its disapproval. Failure to approve or
29 disapprove the plans in writing within 45 days after the hearing
30 is deemed to be approval, unless an extension of time is agreed
31 to by the city, county, or town and the proposer.

32 Subd. 4. [PRELIMINARY DESIGN AND PRELIMINARY ENGINEERING
33 PLANS; REGIONAL TRANSIT BOARD REFERRAL.] If the governing body
34 of one or more cities, counties, or towns disapproves the
35 preliminary design or preliminary engineering plans within the
36 period allowed under subdivision 3, the proposer may refer the

1 plans, along with any comments of local jurisdictions, to the
2 regional transit board. The board shall hold a hearing on the
3 plans, giving the proposer, any disapproving local governmental
4 units, and other persons an opportunity to present their views
5 on the plans. The board may conduct independent study as it
6 deems desirable and may mediate and attempt to resolve
7 disagreements about the plans. Within 90 days after the
8 referral, the board shall review the plans submitted by the
9 proposer and may recommend amended plans to accommodate the
10 objections presented by the disapproving local governmental
11 units.

12 Subd. 5. [FINAL DESIGN PLANS.] (a) Before beginning
13 construction, the proposer shall submit the physical design
14 component of final design plans to the governing body of each
15 statutory and home rule city, county, and town in which the
16 route is proposed to be located. Within 60 days after the
17 submission of the plans, the city, county, or town shall review
18 and approve or disapprove the plans for the route located in the
19 city, county, or town. A local unit of government that
20 disapproves the plans shall describe specific amendments to the
21 plans that, if adopted, would cause the local unit to withdraw
22 its disapproval. Failure to approve or disapprove the plans in
23 writing within the time period is deemed to be approval, unless
24 an extension is agreed to by the city, county, or town and the
25 proposer.

26 (b) If the governing body of one or more cities, counties,
27 or towns disapproves the plans within the period allowed under
28 paragraph (a), the proposer may refer the plans, along with any
29 comments of local jurisdictions, to the regional transit board.
30 The board shall review the final design plans under the same
31 procedure and with the same effect as provided in subdivision 4
32 for preliminary design plans.

33 Subd. 6. [COUNTY APPROVAL.] The proposer of a light rail
34 transit facility in the metropolitan area ~~must~~ shall submit the
35 preliminary and final design plans for the facility to the
36 governing board of the county in which the route is proposed to

1 be located for approval or disapproval. The proposer of the
2 facility may not proceed with construction of the facility
3 without the approval of the county.

4 Subd. 7. [COUNCIL REVIEW.] Before proceeding with
5 construction of a light rail transit facility, ~~a regional rail~~
6 ~~authority established under chapter 398A must~~ the proposer of
7 the facility shall submit preliminary design plans, preliminary
8 engineering plans, and final design plans to the metropolitan
9 council. The council ~~must~~ shall review the plans for
10 consistency with the council's development guide and comment on
11 the plans.

12 Subd. 8. [METROPOLITAN SIGNIFICANCE.] This section does
13 not diminish or replace the authority of the council under
14 section 473.173.

15 Sec. 9. Minnesota Statutes 1990, section 473.3996, is
16 amended to read:

17 473.3996 [LIGHT RAIL TRANSIT FACILITY DESIGN PLANS;
18 REVIEW BY-BOARD.]

19 Subdivision 1. [PRELIMINARY DESIGN AND ENGINEERING PLANS;
20 BOARD REVIEW.] Before submitting the physical design component
21 of final design plans of a light rail transit facility for local
22 review under section 473.3994, subdivision 5, the proposer shall
23 submit preliminary design and preliminary engineering plans to
24 the regional transit board for review. The board shall review
25 the ~~preliminary-design~~ plans to determine the compatibility of
26 the plans with other light rail transit plans and facilities in
27 the metropolitan area, the adequacy of the plans for operation
28 and maintenance of facilities, the adequacy of the plans for
29 handicapped accessibility, and the conformity of the plans with
30 the council's transportation policy plan and the board's
31 regional light rail transit plan prepared under section
32 473.399. The board shall submit the plans to the metropolitan
33 transit commission for recommendations on specifications and
34 other matters affecting operation and maintenance of
35 facilities. The board shall submit the plans to the council for
36 recommendations on the conformity of the plans with the

1 council's transportation policy plan. The board may comment on
2 any aspect of the plans. The board has 90 days to complete its
3 review, unless an extension of time is agreed to by the
4 proposer. If the board determines that the plans do not satisfy
5 the standards stated in this subdivision, the board shall
6 recommend modifications in the plans that are necessary in order
7 to satisfy the board. After adopting or amending the regional
8 plan required by section 473.399, the board may again review any
9 previously reviewed preliminary design plans and recommend
10 modifications that are necessary to satisfy the board.

11 Subd. 2. [FINAL DESIGN PLANS; BOARD APPROVAL.] Before
12 acquiring or constructing light rail transit facilities, other
13 than land for right of way, the proposer shall submit final
14 design plans to the regional transit board for review. The
15 board shall review the final design plans under the
16 same procedure and schedule and according to the same standards
17 as provided for its review of preliminary design plans. The
18 board shall either approve the plans, or if it determines that
19 the plans do not satisfy the standards, disapprove the plans, in
20 whole or in part, and recommend modifications in the plans that
21 are necessary to secure approval. A proposer may not proceed
22 with acquisition or construction of a light rail transit
23 facility, other than land for right of way, unless the final
24 design plans for the facility have been approved by the
25 board. ~~Following approval of final design plans by the board,~~
26 ~~if a regional railroad authority wishes to select a bid or a~~
27 ~~response to a request for proposal that is more than ten percent~~
28 ~~higher than the capital costs indicated in the final design~~
29 ~~plans for the facility, the authority may not proceed with~~
30 ~~construction until it has resubmitted the final design plans to~~
31 ~~the transit board for further review and approval or~~
32 ~~disapproval. The board has ten working days to review and~~
33 ~~approve or disapprove and recommend modification, unless an~~
34 ~~extension of time is agreed to by the authority.~~

35 Sec. 10. [LIGHT RAIL FUNDING.]

36 If funds are appropriated by the legislature or received

1 from the proceeds of a metropolitan sales tax provided by
2 section 2 for construction of light rail transit facilities, the
3 funds must be used first for construction of the central
4 corridor in accordance with section 11. A regional rail
5 authority may on its own seek federal funds to design and
6 construct a demonstration light rail facility and may construct
7 a facility using a combination of federal and county funds as
8 described in the light rail transit regional development plan as
9 approved by the regional transit board.

10 Sec. 11. [CENTRAL CORRIDOR FACILITIES.]

11 Subdivision 1. [CONSTRUCTION.] The commissioner of
12 transportation shall review and approve preliminary engineering
13 plans, prepare final design plans, and construct light rail
14 transit facilities in the central corridor. The commissioner
15 shall submit final design plans for review in the manner
16 provided under Minnesota Statutes, sections 473.3994 and
17 473.3996.

18 Subd. 2. [TUNNEL.] The commissioner may not construct
19 underground light rail transit facilities, except that the
20 commissioner may enter into agreements providing for underground
21 construction if the additional costs of underground construction
22 are paid by the city or the regional railroad authority in which
23 the facility is located.

24 Subd. 3. [OWNERSHIP.] By January 1, 1993, the commissioner
25 shall present to the legislature a plan for transferring or
26 sharing ownership in the land and facilities for light rail
27 transit, and providing for maintenance of the facilities. The
28 plan must be prepared in consultation with the regional transit
29 board, the metropolitan transit commission, and affected local
30 government units.

31 Subd. 4. [REPORT TO BOARD.] The commissioner shall report
32 to the transportation study board on the status of the
33 preliminary engineering plans, including cost estimates, for the
34 central corridor by November 15, 1991.

35 Sec. 12. [APPLICATION.]

36 Sections 1 to 8 apply in the counties of Anoka, Carver,

1 Dakota, Hennepin, Ramsey, Scott, and Washington.

2 ARTICLE 8

3 TRANSPORTATION STUDIES

4 Section 1. [161.53] [RESEARCH ACTIVITIES.]

5 The commissioner may set aside for transportation research
6 in each fiscal year up to one percent of the total amount of all
7 funds appropriated to the commissioner other than county
8 state-aid and municipal state-aid highway funds. The
9 commissioner shall spend this money for (1) research to improve
10 the design, construction, maintenance, management, and
11 environmental compatibility of transportation systems; (2)
12 research on transportation policies that enhance energy
13 efficiency and economic development; (3) programs for
14 implementing and monitoring research results; and (4)
15 development of transportation education and outreach
16 activities. The commissioner shall spend 0.15 percent of the
17 research money, but not exceeding \$800,000 in any fiscal year,
18 for research and related activities performed by the center for
19 transportation studies of the University of Minnesota. The
20 center shall establish a technology transfer and training center
21 for Minnesota transportation professionals.

22 Sec. 2. [DEPARTMENT OF TRANSPORTATION; CORRIDOR STUDIES.]

23 Subdivision 1. [FINDING.] The legislature finds that a
24 system of improved highways between regional centers in greater
25 Minnesota and the Twin Cities metropolitan area is needed to
26 promote economic development and to enhance commercial access,
27 personal mobility, and traffic safety in Minnesota. It is
28 therefore in the public interest to provide financing methods
29 that accelerate construction of trunk highways linking regional
30 centers in greater Minnesota with the Twin Cities metropolitan
31 area.

32 Subd. 2. [STUDY.] The commissioner of transportation shall
33 study and report to the governor and legislature on the
34 feasibility of establishing a comprehensive system of multilane
35 divided highways connecting regional centers with the Twin
36 Cities metropolitan area. The study must include:

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[COUNSEL] DPM

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C

1 M..... moves to amend S.F. No. 1329 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 1990, section 171.01, is
4 amended by adding a subdivision to read:

5 Subd. 23. [SPECIAL TRANSPORTATION SERVICE.] "Special
6 transportation service" means motor vehicle transportation
7 provided on a regular basis by a public or private entity or
8 person that is designed primarily to serve individuals who are
9 elderly, handicapped, or disabled and who are unable to use
10 regular means of transportation but do not require ambulance
11 service, as defined in section 144.801, subdivision 4. Special
12 transportation service includes but is not limited to service
13 provided by specially equipped buses, vans, taxis, and
14 volunteers driving private automobiles.

15 Sec. 2. Minnesota Statutes 1990, section 171.02,
16 subdivision 2, is amended to read:

17 Subd. 2. [DRIVER'S LICENSE CLASSIFICATIONS, ENDORSEMENTS,
18 EXEMPTIONS.] Drivers' licenses shall be classified according to
19 the types of vehicles which may be driven by the holder of each
20 type or class of license. The commissioner may, as appropriate,
21 subdivide the classes listed in this subdivision and issue
22 licenses classified accordingly. No class of license shall be
23 valid to operate a motorcycle, school bus, special
24 transportation service vehicle, tank vehicle, double-trailer or

1 triple-trailer combination, vehicle transporting hazardous
2 materials, or bus, unless so endorsed. There shall be four
3 general classes of licenses as follows:

4 (a) Class C; valid for:

5 (1) all farm trucks as defined in section 168.011,
6 subdivision 17, operated by (i) the owner, (ii) an immediate
7 family member of the owner, (iii) an employee of the owner not
8 primarily employed to operate the farm truck, within 150 miles
9 of the farm, or (iv) an employee of the owner employed during
10 harvest to operate the farm truck for the first, continuous
11 transportation of agricultural products from the production site
12 or on-farm storage site to any other location within 50 miles of
13 that site;

14 (2) fire trucks and emergency fire equipment, whether or
15 not in excess of 26,000 pounds gross vehicle weight, operated by
16 a firefighter while on duty, or a tiller operator employed by a
17 fire department who drives the rear portion of a midmount aerial
18 ladder truck;

19 (3) recreational equipment as defined in section 168.011,
20 subdivision 25, that is operated for personal use; and

21 (4) all single unit vehicles except vehicles with a gross
22 vehicle weight of 26,001 or more pounds, vehicles designed to
23 carry more than 15 passengers including the driver, and vehicles
24 that carry hazardous materials.

25 The holder of a class C license may also tow vehicles under
26 10,000 pounds gross vehicle weight.

27 (b) Class CC; valid for:

28 (1) operating class C vehicles;

29 (2) with a hazardous materials endorsement, transporting
30 hazardous materials in class C vehicles; and

31 (3) with a school bus endorsement, operating school buses
32 designed to transport 15 or fewer passengers, including the
33 driver; and

34 (4) with a special transportation service vehicle
35 endorsement, operating a motor vehicle providing special
36 transportation service.

1 (c) Class B; valid for all vehicles in class C, class CC,
2 and all other single unit vehicles including, with a passenger
3 endorsement, buses.

4 (d) Class A; valid for any vehicle or combination thereof.
5 Sec. 3. Minnesota Statutes 1990, section 171.10,
6 subdivision 2, is amended to read:

7 Subd. 2. [ENDORSEMENTS ADDED.] Any person, after applying
8 for or receiving a driver's license and prior to the expiration
9 year of the license, who wishes to have a motorcycle, school
10 bus, special transportation service vehicle, tank vehicle,
11 passenger, double-trailer or triple-trailer, or hazardous
12 materials vehicle endorsement added to the license, shall, after
13 taking the necessary examination, apply for a duplicate license
14 and make payment of the proper fee.

15 Sec. 4. Minnesota Statutes 1990, section 171.13,
16 subdivision 5, is amended to read:

17 Subd. 5. [FEE FOR VEHICLE ENDORSEMENT.] Any person
18 applying to secure a motorcycle, school bus, special
19 transportation service vehicle, tank vehicle, passenger,
20 double-trailer or triple-trailer, or hazardous materials vehicle
21 endorsement on the person's driver's license shall pay a \$2.50
22 examination fee at the place of application.

23 Sec. 5. Minnesota Statutes 1990, section 171.321, is
24 amended to read:

25 171.321 [QUALIFICATIONS OF SCHOOL BUS AND SPECIAL
26 TRANSPORTATION SERVICE DRIVERS.]

27 Subdivision 1. No person shall drive a school bus when
28 transporting school children to or from school or upon a school
29 related trip or activity without having a valid class A, class
30 B, or class CC driver's license with a school bus endorsement
31 except that a person possessing a valid driver's license but not
32 a school bus endorsement may drive a vehicle with a seating
33 capacity of ten or less persons used as a school bus but not
34 outwardly equipped or identified as a school bus.

35 Subd. 1a. No person shall drive a motor vehicle providing
36 special transportation service without having a valid class A,

1 class B, or class CC driver's license with a special
2 transportation service vehicle endorsement.

3 Subd. 2. (a) The commissioner of public safety shall
4 prescribe rules governing the qualifications of individuals to
5 drive school buses and motor vehicles providing special
6 transportation services.

7 (b) The commissioner of public safety, in conjunction with
8 the commissioner of education, shall adopt a training program
9 for school bus drivers. Adoption of the program is not subject
10 to chapter 14. The program must provide for initial classroom
11 and behind-the-wheel training, and annual in-service training.
12 The program must provide training in defensive driving, human
13 relations, emergency and accident procedures, vehicle
14 maintenance, traffic laws, and use of safety equipment. The
15 program must provide that the training will be conducted by the
16 contract operator for a school district, the school district,
17 the commissioner of education, a licensed driver training
18 school, or by another person or entity approved by both
19 commissioners.

20 (c) The commissioner of public safety shall adopt a
21 training program for special transportation service vehicle
22 drivers. Adoption of the program is not subject to chapter 14.
23 The program must provide for the same types of training as are
24 listed in paragraph (b) of this subdivision, together with
25 training in interaction with persons with disabilities and
26 regulations governing special transportation service.

27 Subd. 3. [STUDY OF APPLICANT.] Before issuing or renewing
28 a school bus or special transportation service vehicle
29 endorsement, the commissioner shall conduct a criminal records
30 check of the applicant. The commissioner may also conduct the a
31 records check at any time while a person is so licensed. The
32 check shall consist of a criminal records check of the state
33 criminal records repository. If the applicant has resided in
34 Minnesota for less than five years, the records check shall also
35 include a criminal records check of information from the state
36 law enforcement agencies in the states where the

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1 person applicant resided during the five years before moving to
2 Minnesota, and of the national criminal records repository
3 including the criminal justice data communications network. The
4 applicant's failure to cooperate with the commissioner in
5 conducting the a records check is reasonable cause to deny an
6 application or cancel a school bus or special transportation
7 vehicle endorsement. The commissioner may not release the
8 results of the a records check to any person except the
9 applicant.

10 Sec. 6. [256B.74] [ADVISORY COUNCIL ON PARATRANSIT.]

11 Subdivision 1. [CREATION; MEMBERSHIP.] The regional
12 transit board shall establish a paratransit advisory council
13 under section 15.059, consisting of the following members:

14 (1) two members representing the regional transit board,
15 appointed by the chair of the board;

16 (2) two members representing the department of human
17 services, appointed by the commissioner of human services;

18 (3) one member representing the department of
19 transportation, appointed by the commissioner of transportation;

20 (4) one member representing the metropolitan transit
21 commission, appointed by the commission's chair;

22 (5) one member representing the council on disability,
23 appointed by the council;

24 (6) one member representing nonprofit providers, appointed
25 by the commissioner of human services;

26 (7) one member representing for-profit providers, appointed
27 by the commissioner of human services;

28 (8) one member representing the senior community, appointed
29 by the commissioner of ~~the department of~~ human services; and

30 (9) one member representing the metropolitan area,
31 appointed by the chair of the metropolitan council.

32 The council shall expire December 31, 1991.

33 Subd. 2. [ADMINISTRATION.] The regional transit board and
34 the department of human services shall provide staff and
35 administrative services for the council. The organizations
36 whose representatives are listed in subdivision 1, clauses (4)

1 to (8), shall provide information, staff, and technical
2 assistance for the council as needed.

3 Subd. 3. [STUDIES.] The council shall conduct a
4 feasibility study of the consolidation and coordination of the
5 existing metro mobility service trips with the existing
6 department of human services medical assistance service trips in
7 the metropolitan area. The council shall seek consultation from
8 affected persons and organizations not represented by members
9 appointed under subdivision 1, including but not limited to, day
10 training and habilitation centers, nursing facilities, and
11 intermediate care facilities for the mentally retarded.

12 Subd. 4. [REPORT.] The commissioner of human services and
13 the chair of the regional transit board shall ~~jointly~~ submit
14 ^{a joint} ~~their~~ consolidation and coordination feasibility report and
15 recommendations to the legislature and the governor not later
16 than December 31, 1991.

17 Subd. 5. [DEFINITION.] For the purposes of this section,
18 "metropolitan area" has the meaning given it in section 473.121,
19 subdivision 2.

20 Sec. 7. [APPLICATION.]

21 Section 6 applies in the counties of Anoka, Carver, Dakota,
22 Hennepin, Ramsey, Scott, and Washington."

23 Amend the title accordingly

COMMITTEE REPORT - WITH AMENDMENTS

Committee on

Metropolitan Affairs

S. F. No. 1329

 Resolution

 Re-referred (from another committee)

Amendments:

See Attached

Committee recommendation:

X And when so amended the bill do pass.

 And when so amended the bill do pass and be placed on the Consent Calendar.

 And when so amended the bill do pass and be re-referred to the Committee on.

 (no recommendation) And when so amended the bill be re-referred to the Committee on

April 11, 1991 (date of committee recommendation)

METROPOLITAN AFFAIRS COMMITTEE ROLL CALL

a-2 AMENDMENT

S.F. 1329 H.F. _____ RESOLUTION _____

	<u>YES</u>	<u>NO</u>	<u>PASS</u>	<u>ABSENT</u>
Flynn, V. Chair	---	---	---	---
Cohen	---	---	---	---
Johnston	---	---	---	---
Kelly	---	---	---	---
Knaak	---	---	---	---
Laidig	---	---	---	---
Langseth	---	---	---	---
Mondale	---	---	---	---
Pappas	---	---	---	---
Pariseau	---	---	---	---
Price	---	---	---	---
Ranum	---	---	---	---
Frank, Chair	---	---	---	---

AYES _____ NAYES _____ PASS _____ ABSENT _____

MOTION CARRIED _____ MOTION LOST _____

REQUESTED BY Sen. Mondale

*the delete everything amendment
(SCS 1329 A-3) to*

- 1 M..... moves to amend S.F. No. 1329 as follows:
- 2 Page ⁵~~1~~, line ²⁹~~25~~, delete "and"
- 3 Page ⁵~~2~~ line ³¹~~3~~, delete the period and insert "; and"
- 4 (10) two members representing users of ^{para-transit}~~metro mobility~~
- 5 appointed by the chair of the board."

METROPOLITAN AFFAIRS COMMITTEE ROLL CALL

9-3 AMENDMENT

S.F. 1329 H.F. _____ RESOLUTION _____

	<u>YES</u>	<u>NO</u>	<u>PASS</u>	<u>ABSENT</u>
Flynn, V. Chair	___	___	___	___
Cohen	___	___	___	___
Johnston	___	___	___	___
Kelly	___	___	___	___
Knaak	___	___	___	___
Laidig	___	___	___	___
Langseth	___	___	___	___
Mondale	___	___	___	___
Pappas	___	___	___	___
Pariseau	___	___	___	___
Price	___	___	___	___
Ranum	___	___	___	___
Frank, Chair	___	___	___	___

AYES _____ NAYES _____ PASS X ABSENT _____

MOTION CARRIED _____ MOTION LOST _____

REQUESTED BY Sen Pappas

COMMITTEE REPORT - WITH AMENDMENTS

Committee on

Metropolitan Affairs

S. F. No. 1323

Resolution

Re-referred (from another committee)

Amendments:

See attached

Committee recommendation:

And when so amended the bill do pass.

And when so amended the bill do pass and be placed on the Consent Calendar.

And when so amended the bill do pass and be re-referred to the Committee on

(no recommendation) And when so amended the bill be re-referred to the Committee on

April 14, 1991 (date of committee recommendation)

1 M..... moves to amend the delete-everything
2 amendment (SA91-115) to S.F. No. 1323 as follows:

3 Page 7, delete lines ³³~~26~~ to 36

4 Page 8, delete lines ⁺⁰⁸~~51~~ and insert:

5 "(b) The council shall appoint eight members~~7-one-from-each~~
6 ~~of-the-following-agency-districts:~~

7 ~~{1}-district-A7-consisting-of-council-districts-1-and-27~~

8 ~~{2}-district-B7-consisting-of-council-districts-3-and-77~~

9 ~~{3}-district-C7-consisting-of-council-districts-4-and-57~~

10 ~~{4}-district-D7-consisting-of-council-districts-6-and-117~~

11 ~~{5}-district-E7-consisting-of-council-districts-8-and-107~~

12 ~~{6}-district-F7-consisting-of-council-districts-9-and-137~~

13 ~~{7}-district-G7-consisting-of-council-districts-12-and-147~~

14 and

15 ~~{8}-district-H7-consisting-of-council-districts-15-and~~

16 ~~16 as provided in section 473.141, subdivision 2, paragraph (d).~~

17 ~~At-least Six must be elected officials of statutory or home"~~

Adopted

1 M..... moves to amend the delete-everything
 2 amendment (SCS1323A-5) to S.F. No. 1323 as follows:
 3 Page 5, line 18, after the period ^{*insert "each county in*}
 4 the metropolitan area ~~must be~~ represented with at least one
 5 resident on the council."

Adopted

1 M..... moves to amend the delete-everything
2 amendment (SCS1323A-5) to S.F. No. 1323 as follows:

3 Page 14, after line ~~14~~⁸, insert:

4 "Sec. ~~25~~²³. [EFFICIENCY STUDY.]

5 The chair of the metropolitan council shall ~~study and~~
6 report to the ~~legislature~~ ^{standing committee of each house} by February 15 of each year on the
7 level of staffing at the council in relationship to the duties
8 and responsibilities of the council ~~with emphasis on improving~~ ^{regarding}
9 ~~the effectiveness of the staff and~~ ^{details} the avoidance of waste and
10 inefficiency and duplication of efforts by staff members."

Sec. ~~23~~²⁴ [EFFECTIVE DATE.]

Sections 1 and 2 are effective on January 1, 1993. The provisions of section 9 relating to the districts of the regional transit board are effective for board districts formulated following the re-districting of the metropolitan council districts which take effect on the first Monday in January, 1993.

Sec. ~~24~~²⁵ [APPLICATION.]

Sections 1 to ~~23~~²⁴ apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

1 M moves to amend S.F. No. 1323 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 1990, section 15A.081,
4 subdivision 1, is amended to read:

5 Subdivision 1. [SALARY RANGES.] The governor shall set the
6 salary rate within the ranges listed below for positions
7 specified in this subdivision, upon approval of the legislative
8 commission on employee relations and the legislature as provided
9 by section 43A.18, subdivisions 2 and 5:

10	Salary Range
11	Effective
12	July 1, 1987

13 \$57,500-\$78,500

- 14 Commissioner of finance;
- 15 Commissioner of education;
- 16 Commissioner of transportation;
- 17 Commissioner of human services;
- 18 Commissioner of revenue;
- 19 Commissioner of public safety;
- 20 Executive director, state board of
- 21 investment;
- 22 Commissioner of gaming;
- 23 Director of the state lottery;

24 \$50,000-\$67,500

1 Commissioner of administration;
2 Commissioner of agriculture;
3 Commissioner of commerce;
4 Commissioner of corrections;
5 Commissioner of jobs and training;
6 Commissioner of employee relations;
7 Commissioner of health;
8 Commissioner of labor and industry;
9 Commissioner of natural resources;
10 Commissioner of trade and economic development;
11 Chief administrative law judge; office of
12 administrative hearings;
13 Commissioner, pollution control agency;
14 Commissioner, state planning agency;
15 Director, office of waste management;
16 Commissioner, housing finance
17 agency;
18 Executive director, public employees
19 retirement association;
20 Executive director, teacher's
21 retirement association;
22 Executive director, state retirement
23 system;
24 Chair, metropolitan council;
25 Chair, regional transit board;
26 \$42,500-\$60,000
27 Commissioner of human rights;
28 Commissioner, department of public service;
29 Commissioner of veterans' affairs;
30 Commissioner, bureau of mediation services;
31 Commissioner, public utilities commission;
32 Member, transportation regulation board;
33 Ombudsman for corrections;
34 Ombudsman for mental health and retardation.
35 Sec. 2. Minnesota Statutes 1990, section 15A.081,
36 subdivision 7, is amended to read:

1 Subd. 7. [METROPOLITAN OFFICERS.] The governor shall set
 2 the salary rate within the range set forth below for the
 3 following positions, upon approval of the legislative commission
 4 on employee relations and the legislature as provided by section
 5 43A.18, subdivisions 2 and 5:

6		Effective
7		July 1, 1987
8	Chair, metropolitan airports	
9	commission	\$15,000-\$25,000
10	<u>Chair, regional transit board</u>	<u>\$15,000-\$25,000</u>
11	Chair, metropolitan waste control	
12	commission	\$25,000-\$67,500

13 Fringe benefits for unclassified employees of the
 14 metropolitan waste control commission shall not exceed those
 15 fringe benefits received by unclassified employees of the
 16 metropolitan council.

17 Sec. 3. Minnesota Statutes 1990, section 398A.04,
 18 subdivision 8, is amended to read:

19 Subd. 8. [TAXATION.] Before deciding to exercise the power
 20 to tax, the authority shall give six weeks published notice in
 21 all municipalities in the region. If a number of voters in the
 22 region equal to five percent of those who voted for candidates
 23 for governor at the last gubernatorial election present a
 24 petition within nine weeks of the first published notice to the
 25 secretary of state requesting that the matter be submitted to
 26 popular vote, it shall be submitted at the next general
 27 election. The question prepared shall be:

28 "Shall the regional rail authority have the power to impose
 29 a property tax?

30 Yes

31 No"

32 If a majority of those voting on the question approve or if
 33 no petition is presented within the prescribed time the
 34 authority may levy a tax at any annual rate not exceeding
 35 0.04835 percent of market value of all taxable property situated
 36 within the municipality or municipalities named in its

1 organization resolution. Its recording officer shall file in
2 the office of the county auditor of each county in which
3 territory under the jurisdiction of the authority is located a
4 certified copy of the board of commissioners' resolution levying
5 the tax, and each county auditor shall assess and extend upon
6 the tax rolls of each municipality named in the organization
7 resolution the portion of the tax that bears the same ratio to
8 the whole amount that the net tax capacity of taxable property
9 in that municipality bears to the net tax capacity of taxable
10 property in all municipalities named in the organization
11 resolution. Collections of the tax shall be remitted by each
12 county treasurer to the treasurer of the authority.

13 No tax may be imposed in Anoka, Carver, Dakota, Ramsey,
14 Scott, or Washington counties by a regional railroad authority.
15 No tax may be imposed in Hennepin county by a regional railroad
16 authority after December 21, 1991, except to provide money for a
17 northwest corridor light rail transit system for which federal
18 funds are provided. In Anoka, Carver, Dakota, Hennepin, Ramsey,
19 Scott, and Washington counties, the metropolitan council may act
20 for and in the place of a regional railroad authority under this
21 subdivision.

22 Sec. ³4. Minnesota Statutes 1990, section 473.123,
23 subdivision 2a, is amended to read:

24 Subd. 2a. [TERMS.] Following each apportionment of council
25 districts, as provided under subdivision 3a, council members
26 must be appointed from newly drawn districts as provided in
27 subdivision 3a. The terms of members are as follows: members
28 representing even-numbered the first, fourth, seventh, tenth,
29 thirteenth, and sixteenth districts for terms ending the first
30 Monday in January of the year ending in the numeral "7" "9";
31 members representing odd-numbered the second, fifth, eighth,
32 eleventh, and fourteenth districts for terms ending the first
33 Monday in January of the year ending in the numeral "5" 7."
34 Members representing the third, sixth, ninth, twelfth, and
35 fifteenth districts for terms ending the first Monday in January
36 in the year ending in the numeral "5." Thereafter the-term-of

1 ~~each member is four years, with terms ending the first Monday in~~
2 ~~January, except that~~ all terms expire on the effective date of
3 the next apportionment. A member shall continue to serve the
4 member's district until a successor is appointed and qualified;
5 except that, following each apportionment, the member shall
6 continue to serve at large until the governor appoints 16
7 council members, one from each of the newly drawn council
8 districts as provided under subdivision 3a, to serve terms as
9 provided under this section. The appointment to the council
10 must be made by the first Monday in March of the year in which
11 the term ends.

12 Sec. ~~4~~⁴. Minnesota Statutes 1990, section 473.123,
13 subdivision 3, is amended to read:

14 Subd. 3. [MEMBERSHIP; APPOINTMENT; QUALIFICATIONS.] (a)
15 Sixteen members must be appointed by the governor from districts
16 defined by this section. Each council member must reside in the
17 council district represented. Each council district must be
18 represented by one member of the council.

19 (b) In addition to the notice required by section 15.0597,
20 subdivision 4, notice of vacancies and expiration of terms must
21 be published in newspapers of general circulation in the
22 metropolitan area and the appropriate districts. The governing
23 bodies of the statutory and home rule charter cities, counties,
24 and towns having territory in the district for which a member is
25 to be appointed must be notified in writing. The notices must
26 describe the appointments process and invite participation and
27 recommendations on the appointment.

28 (c) The governor shall create a nominating committee,
29 composed of seven metropolitan citizens appointed by the
30 governor, to nominate persons for appointment to the council
31 from districts. Three of the committee members must be local
32 elected officials. Following the submission of applications as
33 provided under section 15.0597, subdivision 5, the nominating
34 committee shall conduct public meetings, after appropriate
35 notice, to accept statements from or on behalf of persons who
36 have applied or been nominated for appointment and to allow

1 consultation with and secure the advice of the public and local
 2 elected officials. The committee shall hold the meeting on each
 3 appointment in the district or in a reasonably convenient and
 4 accessible location in the part of the metropolitan area in
 5 which the district is located. The committee may consolidate
 6 meetings. Following the meetings, the committee shall submit to
 7 the governor a list of nominees for each appointment. The
 8 governor is not required to appoint from the list.

9 (d) Before making an appointment, the governor shall ~~shall~~ ^{must}
 10 ^{reinstale} ~~consult-with~~ ^{delete} obtain the written recommendations of all members
 11 of the legislature from the council district for which the
 12 member is to be appointed. If a member does not make a - ~~delete~~
 13 recommendation within 30 days after the governor's request, the
 14 member is presumed to make no recommendation. ←

15 (e) Appointments to the council are subject to the advice
 16 and consent of the senate as provided in section 15.066.

17 (f) Members of the council must be appointed to reflect
 18 fairly the various demographic, political, and other interests
 19 in the metropolitan area and the districts.

20 (g) Members of the council must be persons knowledgeable
 21 about urban and metropolitan affairs.

22 Sec. ⁵ ~~6~~. Minnesota Statutes 1990, section 473.123,
 23 subdivision 4, is amended to read:

24 Subd. 4. [CHAIR; APPOINTMENT, DUTIES.] (a) The chair of
 25 the metropolitan council shall be appointed by the governor as
 26 the 17th voting member thereof by and with the advice and
 27 consent of the senate to serve ~~at-the-pleasure-of-the-governor a~~
 28 term ending the first Monday in January 1997 and each sixth year
 29 thereafter. Senate confirmation shall be as provided by section
 30 15.066. The chair shall be a person experienced in the field of
 31 municipal and urban affairs with administrative training and
 32 executive ability.

33 (b) The chair of the metropolitan council shall preside at
 34 the meetings of the metropolitan council and shall act as
 35 principal executive officer. The chair shall organize the work
 36 of the metropolitan council, appoint all officers and employees

1 thereof, subject to the approval of the metropolitan council,
2 and be responsible for carrying out all policy decisions of the
3 metropolitan council. The chair's salary shall be as provided
4 in section 15A.081. The chair shall be eligible for expenses in
5 the same manner and amount as state employees.

6 Sec. ~~6~~⁶ [473.1631] [LEGISLATIVE REVIEW.]

7 All metropolitan agencies shall file their budgets with the
8 secretary of the senate and the clerk of the house of
9 representatives on January 15 of each year for review by the
10 committees of each body that have jurisdiction over the
11 metropolitan agencies.

12 Sec. ~~7~~⁷ Minnesota Statutes 1990, section 473.303,
13 subdivision 3, is amended to read:

14 Subd. 3. [CHAIR.] The chair of the commission shall be
15 appointed by the council and shall be the ninth member of the
16 commission and shall meet all qualifications established for
17 members, except the chair need only reside within the
18 metropolitan area. The chair shall be subject to senate
19 confirmation as provided by section 15.066. The chair shall
20 preside at all meetings of the commission, if present, and shall
21 perform all other duties and functions assigned by the
22 commission or by law. The commission may appoint from among its
23 members a vice-chair to act for the chair during temporary
24 absence or disability.

25 Sec. ~~8~~⁸ Minnesota Statutes 1990, section 473.373,
26 subdivision 4a, is amended to read:

27 Subd. 4a. [MEMBERSHIP.] (a) The board consists of 11
28 members with governmental or management experience appointed by
29 the metropolitan council. ~~Appointments-are-subject-to-the~~
30 ~~advice-and-consent-of-the-senate.~~ Terms of members are four
31 years commencing on the first Monday in January of the first
32 year of the term.

33 (b) The council shall appoint eight members, one from each
34 of the following agency districts:

- 35 (1) district A, consisting of council districts 1 and 2;
36 (2) district B, consisting of council districts 3 and 7;

- 1 (3) district C, consisting of council districts 4 and 5;
2 (4) district D, consisting of council districts 6 and 11;
3 (5) district E, consisting of council districts 8 and 10;
4 (6) district F, consisting of council districts 9 and 13;
5 (7) district G, consisting of council districts 12 and 14;
6 and
7 (8) district H, consisting of council districts 15 and 16.

8 At least six must be elected officials of statutory or home
9 rule charter cities, towns, or counties. ~~Two of these officials~~
10 ~~must be county board members, each from a different county, and~~
11 ~~four must be elected officials of cities or towns.~~ Service on
12 the board of a person who is appointed as an elected official
13 may continue only as long as the person holds the office. At
14 ~~least 30 days before the expiration of a term or upon the~~
15 ~~occurrence of a vacancy, the council shall request nominations~~
16 ~~for the position from relevant organizations of local elected~~
17 ~~officials, such as the association of metropolitan~~
18 ~~municipalities, the metropolitan intercounty association, the~~
19 ~~association of urban counties, and where applicable, the~~
20 ~~association of townships.~~ Each relevant organization shall
21 ~~nominate at least two persons for each position.~~ A local
22 ~~governmental unit that is not a member of an organization may~~
23 ~~submit nominations independently.~~ The council shall make its
24 ~~appointments from the nominations submitted to it to the extent~~
25 ~~possible consistent with the other requirements of this~~
26 ~~paragraph and with the appointment of a board that fairly~~
27 ~~reflects the diverse areas and constituencies affected by~~
28 ~~transit.~~

29 (c) The governor metropolitan council shall appoint, in
30 addition to the chair, two persons, one who is age 65 or older
31 at the time of appointment, and one with a disability. These
32 appointments must be made following the procedures of section
33 15.0597. In addition, at least 30 days before the expiration of
34 a term or upon the occurrence of a vacancy in the office held by
35 a senior citizen or a person with a disability, the governor
36 metropolitan council shall request nominations from

1 organizations of senior citizens and persons with disabilities.
 2 Each organization shall nominate at least two persons.
 3 The ~~governor~~ metropolitan council shall consider the nominations
 4 submitted.

5 (d) No more than three of the members appointed under
 6 paragraphs (b) and (c) may be residents of the same statutory or
 7 home rule city or town, and none may be a member of the joint
 8 light rail transit advisory committee established under section
 9 473.3991.

10 Sec. ~~10~~⁹. Minnesota Statutes 1990, section 473.373,
 11 subdivision 5, is amended to read:

12 Subd. 5. [CHAIR.] The chair is subject to senate
 13 confirmation as provided by section 15.066. The duties of the
 14 chair are:

15 (a) to preside over all board meetings attended;

16 (b) ^{reinstated} to-serve-as [^athe-principal] ^{reinstated} transit-spokesperson-within
 17 ^{reinstated} the-metropolitan-area-before-the-legislature, ^{reinstated} other-state-and
 18 ^{reinstated} regional-agencies, ^{reinstated} local-units-of-government, and-the-general
 19 ^{reinstated} public;

20 (c) to present to the-governor-and-the-legislature, after
 21 approval-by the council, for its review and approval the board's
 22 financial plan for public transit in the metropolitan area;

23 (d) to convene and preside at an annual regional transit
 24 conference of transit providers, operators, and users; and

25 (e) to perform other duties assigned by law or by the board.

26 Sec. ~~11~~¹⁰. Minnesota Statutes 1990, section 473.375,
 27 subdivision 8, is amended to read:

28 Subd. 8. [GIFTS; GRANTS.] The board may apply for, accept
 29 and disburse gifts, grants, or loans from the United States, the
 30 state, or from any person on behalf of itself or any of its
 31 contract recipients, for any of its purposes. It may enter into
 32 an agreement required for the gifts, grants, or loans and may
 33 hold, use, and dispose of money or property received therefrom
 34 according to the terms of the gift, grant, or loan. The board
 35 may not be a recipient of federal operating or capital
 36 assistance distributed by formula or block grant.

1 No political subdivision within the metropolitan area may
2 apply for federal transit assistance unless its application has
3 been submitted to and approved by the board metropolitan council.

4 Sec. ~~11~~¹¹. Minnesota Statutes 1990, section 473.375,
5 subdivision 14, is amended to read:

6 Subd. 14. [COORDINATION.] The board with the approval of
7 the metropolitan council shall coordinate transit operations
8 within the metropolitan area and shall establish a transit
9 information program to provide transit users with accurate
10 information on transit schedules and service.

11 Sec. ~~12~~¹². Minnesota Statutes 1990, section 473.375,
12 subdivision 15, is amended to read:

13 Subd. 15. [PERFORMANCE STANDARDS.] The board with the
14 approval of the metropolitan council may establish performance
15 standards for recipients of financial assistance.

16 Sec. ~~13~~¹³. Minnesota Statutes 1990, section 473.38, is
17 amended by adding a subdivision to read:

18 Subd. 1a. [BUDGET; COUNCIL REVIEW AND APPROVAL.] The board
19 must submit its budget to the council on August 15 of each year
20 for review and approval by the council. The council shall act
21 to approve or disapprove by October 1 of each year.

22 Sec. ~~14~~¹⁴. Minnesota Statutes 1990, section 473.38,
23 subdivision 2, is amended to read:

24 Subd. 2. [FINANCIAL PLAN; COUNCIL APPROVAL.] Along with
25 its annual budget, each even-numbered year the board shall
26 prepare a financial plan for the succeeding three calendar
27 years, in half-year segments. The financial plan must be
28 consistent with the board's implementation plan and must contain
29 the elements specified in section 473.1623, subdivision 3. The
30 financial plan must contain schedules of user charges and any
31 changes in user charges planned or anticipated by the board
32 during the period of the plan. The financial plan must contain
33 a proposed request for state financial assistance for the
34 succeeding biennium. The board shall submit the financial plan
35 to the council for review and approval or disapproval. The
36 council may approve or disapprove in whole or in part. The

1 ~~council-may-disapprove-only-for-inconsistency-with-the-policy~~
2 ~~plan-of-the-council-~~

3 Sec. ¹⁵~~13~~. Minnesota Statutes 1990, section 473.404,
4 subdivision 2, is amended to read:

5 Subd. 2. [MEMBERSHIP.] The transit commission consists of
6 five members appointed by the transit-board metropolitan
7 council. One member must be a resident of the city of
8 Minneapolis, one must be a resident of the city of St. Paul, two
9 must reside in the service area of the commission outside
10 Minneapolis and St. Paul, and one may reside anywhere in the
11 metropolitan area. At least one of the members from outside of
12 Minneapolis and St. Paul must reside in the commission's
13 full-peak and off-peak service area, as defined for tax purposes
14 in section 473.446. ~~Appointments-are~~ Appointment of the chair
15 is subject to the advice and consent of the senate as provided
16 by section 15.066.

17 Sec. ¹⁶~~14~~. Minnesota Statutes 1990, section 473.404,
18 subdivision 6, is amended to read:

19 Subd. 6. [REMOVAL; VACANCIES.] Members may be removed by
20 the transit-board council only for cause in the manner specified
21 in chapter 351. If the office of a member becomes vacant, under
22 the conditions specified in chapter 351, the vacancy must be
23 filled in the same manner in which the appointment to that
24 office was made.

25 Sec. ¹⁷~~15~~. Minnesota Statutes 1990, section 473.553,
26 subdivision 3, is amended to read:

27 Subd. 3. [CHAIR.] The chair shall be appointed by the
28 governor as the seventh voting member and shall meet all of the
29 qualifications of a member, except the chair need only reside
30 outside the metropolitan area. The chair is subject to senate
31 confirmation as provided by section 15.066. The chair shall
32 preside at all meetings of the commission, if present, and shall
33 perform all other duties and functions assigned by the
34 commission or by law. The commission may appoint from among its
35 members a vice-chair to act for the chair during temporary
36 absence or disability.

1 Sec. ¹⁸~~17~~. Minnesota Statutes 1990, section 473.604,
2 subdivision 1, is amended to read:

3 Subdivision 1. The commission consists of:

4 (1) the mayor of each of the cities, or a qualified voter
5 appointed by the mayor, for the term of office as mayor;

6 (2) a number of members appointed from precincts equal or
7 nearest to but not exceeding half the number of districts which
8 are provided by law for the selection of members of the
9 metropolitan council in section 473.123. Each member shall be a
10 resident of the precinct represented. The members shall be
11 appointed by the governor as follows: a number as near as
12 possible to one-fourth, for a term of one year; a similar number
13 for a term of two years; a similar number for a term of three
14 years; and a similar number for a term of four years, all of
15 which terms shall commence on July 1, 1981. The successors of
16 each member shall be appointed for four-year terms commencing in
17 July of each fourth year after the expiration of the original
18 term. Before making an appointment, the governor shall consult
19 with each member of the legislature from the precinct for which
20 the member is to be appointed, to solicit the legislator's
21 recommendation on the appointment;

22 (3) four members appointed from outside of the metropolitan
23 area to reflect fairly the various regions and interests
24 throughout the state that are affected by the operation of the
25 commission's major airport and airport system. Two of these
26 members must be residents of statutory or home rule charter
27 cities, towns, or counties containing an airport designated by
28 the commissioner of transportation as a key airport. The other
29 two must be residents of statutory or home rule charter cities,
30 towns, or counties containing an airport designated by the
31 commissioner of transportation as an intermediate airport. The
32 members must be appointed by the governor as follows: one for a
33 term of one year, one for a term of two years, one for a term of
34 three years, and one for a term of four years. All of the terms
35 start on July 1, 1989. The successors of each member must be
36 appointed to four-year terms commencing on July 1 of each fourth

1 year after the expiration of the original term. Before making
 2 an appointment, the governor shall consult each member of the
 3 legislature representing the municipality or county from which
 4 the member is to be appointed, to solicit the legislator's
 5 recommendation on the appointment; and

6 (4) a chair appointed by the governor for a term of four
 7 years with the advice and consent of the senate as provided in
 8 section 15.066. The chair may be removed at the pleasure of the
 9 governor.

10 Sec. ¹⁹~~20~~. [TRANSPORTATION STUDY.]
 11 The metropolitan council in cooperation with
 12 the commissioner of transportation shall study and report
 13 to the legislature before February 1, 1992, on the role the
 14 department of transportation can play to improve and enhance the
 15 provision of an integrated transit system in the metropolitan
 16 area with emphasis on the integration of transit alternatives
 17 with highway planning and development and the role of the
 18 department in its relationship to the metropolitan council in
 19 promoting transit services as part of the metropolitan
 20 transportation system.

20 Sec. ²⁰~~21~~. [LIBRARY SERVICES STUDY.]
 21 The metropolitan council shall study and report to the
 22 legislature by February 15, 1993, on the need for and the
 23 feasibility of a separate metropolitan agency to plan and
 24 coordinate library services in the metropolitan area or whether
 25 library services may be adequately provided through the regional
 26 library system under chapter 134 or the existing metropolitan
 27 agency structure.

28 Sec. ²¹~~22~~. [SOLID WASTE DISPOSAL STUDY.]
 29 The council shall study and report to the legislature by
 30 February 15, 1993, on the need for and the feasibility of a
 31 separate metropolitan agency to coordinate and review county
 32 planning for solid waste material disposal and for the
 33 disbursement of any federal and state funding for solid waste
 34 management in the metropolitan area with emphasis on
 35 coordination of solid waste management activities in the
 36 metropolitan area with the authority of the waste management

1 board under chapter 115A.

2 Sec. ²²~~23~~. [SURFACE WATER RUNOFF STUDY.]

3 The council shall study and report to the legislature by
4 February 15, 1993, on the need for and the feasibility of a
5 separate metropolitan agency to ensure compliance with federal
6 law relating to surface water runoff or whether compliance may
7 be adequately achieved through the existing metropolitan agency
8 structure.

9 Sec. 24. [METROPOLITAN AREA CORRECTIONS STUDY.]

10 The council shall study and report to the legislature by
11 January 1, 1993, on the current and projected demand for
12 correctional facilities in the metropolitan area and shall
13 prepare a ten-year plan for the coordinated provision of
14 correctional facilities."

INSEA → ~~Sec 23~~ → 24-25
15 Delete the title and insert:

16 "A bill for an act
17 relating to metropolitan government; providing for the
18 appointments and terms of the metropolitan council;
19 assigning duties relating to transit; ~~transferring~~
20 ~~transit duties to the department of transportation;~~ ←
21 amending Minnesota Statutes 1990, sections 15A.081,
22 subdivisions 1 and 7; ~~290A.04, subdivision 2;~~
23 subdivisions 2a, 3, and 4; 473.303, subdivision 3;
24 473.373, subdivisions 4a and 5; 473.375, subdivisions
25 8, 14, and 15; 473.38, subdivision 2, and by adding a
26 subdivision; 473.404, subdivisions 2 and 6; 473.553,
27 subdivision 3; and 473.604, subdivision 1; proposing
28 coding for new law in Minnesota Statutes, chapter 473."

providing for a part-time chair of the regional transit board; clarifying the districts of the regional transit boards; requiring metropolitan agencies to file budgets with the legislature; providing for senate confirmation for the chairs of certain metropolitan agencies; requiring metropolitan council approval of certain regional transit board activity; requiring studies;