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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3173**

February 25, 2010

Authored by Beard, Morrow, Lieder and Magnus

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

A bill for an act

relating to railroads; exempting certain railroad property from storm sewer or storm water utility assessments, levies, or charges; amending Minnesota Statutes 2008, sections 218.011, by adding a subdivision; 444.075, by adding a subdivision; 444.20; proposing coding for new law in Minnesota Statutes, chapter 429.

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

Section 1. Minnesota Statutes 2008, section 218.011, is amended by adding a subdivision to read:

Subd. 10a. **Community-based railroad.** "Community-based railroad" means a railroad company engaged in rail transportation as common carrier for hire, that is (1) a class II or class III railroad, as defined in Code of Federal Regulations, title 49, part 1201, general instruction 1-1, or (2) a switching and terminal railroad.

Sec. 2. **[429.055] RAILROADS; STORM SEWER SYSTEM EXEMPTION.**

Railroad tracks and associated rights-of-way, switching yards, bridges, and trestles owned by a community-based railroad, as defined in section 218.011, subdivision 10a, are exempt from a levy, special assessment, or charge for storm sewer and storm water handling systems under this chapter.

Sec. 3. Minnesota Statutes 2008, section 444.075, is amended by adding a subdivision to read:

Subd. 3m. **Storm water charges; exemption.** Railroad tracks and associated rights-of-way, switching yards, bridges, and trestles owned by a community-based

2.1 railroad, as defined in section 218.011, subdivision 10a, are exempt from a levy or charge
 2.2 for storm sewers under this section.

2.3 Sec. 4. Minnesota Statutes 2008, section 444.20, is amended to read:

2.4 **444.20 TAXES.**

2.5 Subdivision 1. Levy. The governing body of a municipality may levy a tax on all
 2.6 taxable property within the district in an amount necessary to finance the cost of the
 2.7 improvement, including maintenance and to pay the principal and interest on obligations
 2.8 issued pursuant to section 444.19. The tax shall be collected and paid over as other taxes,
 2.9 but shall be spread only upon the property described in the ordinance. The tax shall be
 2.10 disbursed by the governing body only for the benefit of district as established by the
 2.11 ordinance.

2.12 Subd. 2. Exemption. Railroad tracks and associated rights-of-way, switching yards,
 2.13 bridges, and trestles owned by a community-based railroad, as defined in section 218.011,
 2.14 subdivision 10a, are exempt from a levy or charge under this section.