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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **3173**

February 25, 2010

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

March 11, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on State and Local Government Operations Reform, Technology and Elections

1.1 A bill for an act  
1.2 relating to railroads; exempting certain railroad property from storm sewer or  
1.3 storm water utility assessments, levies, or charges; amending Minnesota Statutes  
1.4 2008, sections 444.075, by adding a subdivision; 444.20; proposing coding for  
1.5 new law in Minnesota Statutes, chapter 429.

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

1.7 Section 1. **[429.055] RAILROADS; STORM SEWER SYSTEM EXEMPTION.**

1.8 Railroad tracks and associated rights-of-way, switching yards, bridges, and trestles  
1.9 owned by a railroad company, as defined in section 270.80, subdivision 2, are exempt  
1.10 from a levy, special assessment, or charge for storm sewer and storm water handling  
1.11 systems under this chapter.

1.12 Sec. 2. Minnesota Statutes 2008, section 444.075, is amended by adding a subdivision  
1.13 to read:

1.14 Subd. 3m. **Storm water charges; exemption.** Railroad tracks and associated  
1.15 rights-of-way, switching yards, bridges, and trestles owned by a railroad company, as  
1.16 defined in section 270.80, subdivision 2, are exempt from a levy or charge for storm  
1.17 sewers under this section.

1.18 Sec. 3. Minnesota Statutes 2008, section 444.20, is amended to read:

1.19 **444.20 TAXES.**

1.20 Subdivision 1. **Levy.** The governing body of a municipality may levy a tax on all  
1.21 taxable property within the district in an amount necessary to finance the cost of the  
1.22 improvement, including maintenance and to pay the principal and interest on obligations

2.1 issued pursuant to section 444.19. The tax shall be collected and paid over as other taxes,  
2.2 but shall be spread only upon the property described in the ordinance. The tax shall be  
2.3 disbursed by the governing body only for the benefit of district as established by the  
2.4 ordinance.

2.5 Subd. 2. **Exemption.** Railroad tracks and associated rights-of-way, switching  
2.6 yards, bridges, and trestles owned by a railroad company, as defined in section 270.80,  
2.7 subdivision 2 , are exempt from a levy or charge under this section.