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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. **4480**

05/07/2018 Authored by Bernardy and Kunesh-Podein
The bill was read for the first time and referred to the Committee on Transportation Finance

1.1 A bill for an act
1.2 relating to capital investment; appropriating money for demolition and replacement
1.3 of the Rice Creek railroad bridge in New Brighton; authorizing the sale and issuance
1.4 of state bonds.

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

1.6 Section 1. **RICE CREEK RAILROAD BRIDGE.**

1.7 Subdivision 1. **Appropriation.** (a) \$1,550,000 is appropriated from the bond proceeds
1.8 fund to the commissioner of transportation for a grant to Minnesota Commercial Railway
1.9 Company to demolish the existing railroad bridge over Rice Creek in the city of New
1.10 Brighton and to predesign, design, acquire any needed right-of-way, engineer, construct,
1.11 and equip a replacement railroad bridge to meet the needs of the railroad operators that use
1.12 the bridge, as authorized by the Minnesota Constitution, article XI, section 5, paragraph (i).
1.13 This appropriation is subject to Minnesota Statutes, section 16A.642, and is available when
1.14 the commissioner of management and budget determines that sufficient resources have been
1.15 committed to complete the project, as required by Minnesota Statutes, section 16A.502.

1.16 (b) The grant under this section is contingent on:

1.17 (1) review and approval of the railway company's design, engineering, and plans for the
1.18 project by Ramsey County to ensure the project does not interfere with recreational use of
1.19 adjacent park property and Rice Creek, and by the Rice Creek Watershed District to ensure
1.20 that the project's impact on flows in the creek complies with the watershed district's adopted
1.21 rules. These reviews and approvals are in addition to any other reviews, permits, or approvals
1.22 required for the project;

2.1 (2) Minnesota Commercial Railway Company removing all structures related to the
2.2 existing bridge, including any pilings, footings, or water control structures placed to protect
2.3 the existing bridge structures, from the Rice Creek streambed as part of the demolition and
2.4 removal of the existing bridge, except to the extent prohibited by a permitting authority,
2.5 including but not limited to the Department of Natural Resources and the United States
2.6 Army Corps of Engineers. The replacement bridge and structures are the property of the
2.7 owner of the railroad right-of-way and railroad operator, as may be arranged between them;
2.8 and

2.9 (3) Minnesota Commercial Railway Company entering into an agreement with Ramsey
2.10 County that:

2.11 (i) grants the company access to both construct and perform ongoing maintenance on
2.12 the bridge; and

2.13 (ii) provides for repair of the county trail damaged by railway maintenance work that
2.14 occurred two years before the effective date of this section, as well as immediately after
2.15 construction and any subsequent maintenance activities.

2.16 (c) By entering into a grant agreement with the commissioner of transportation, Minnesota
2.17 Commercial Railway Company agrees to cooperate with the city of New Brighton and
2.18 Ramsey County to develop crossings and trails in or near the railway right-of-way in the
2.19 city.

2.20 Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond
2.21 proceeds fund, the commissioner of management and budget shall sell and issue bonds of
2.22 the state in an amount up to \$1,550,000 in the manner, upon the terms, and with the effect
2.23 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota
2.24 Constitution, article XI, sections 4 to 7.

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