

CITIZENS LEAGUE REPORT

No. 187

Implementation of CL Transit Report

October 1965

Citizens League
545 Mobil Oil Building
Minneapolis, Minnesota 55402

COPIES
DATE

TO: Board of Directors

FROM: Legislative Action Committee

SUBJECT: Implementation of Citizens League Transit Report

RECOMMENDATIONS

1. We recommend that the municipalities of the Twin Cities area, particularly Minneapolis and St. Paul and the major suburbs, band together under the Joint Powers Act to establish a temporary Metropolitan Transit Agency to function until such time as the Legislature establishes a permanent Transit Agency.

We do not envision the creation of a Transit Agency under the Joint Powers Act as an end in itself. It appears certain that the State Legislature will have to define and assign the responsibility for public transportation on a permanent basis by statutory establishment of some type of area-wide body. We see creation of a Metropolitan Transit Agency now as the single best way to assure that the problem will be attacked on an overall and coordinated basis immediately. Without such an agency we will lose valuable time until the Legislature meets in 1967. Further, the lack of this overall coordinated approach now might result in the failure of the Legislature to act, as occurred in the 1965 session. This would be most unfortunate.

2. We recommend that the Metropolitan Transit Agency be organized in substantially the following manner:

(a) Its governing board should have seven members, four from the central cities and three from the suburbs. The mayors of Minneapolis and St. Paul each should appoint one member. The city councils of Minneapolis and St. Paul each should appoint one member. The mayors of the participating suburban municipalities should meet together and elect the other three members.

(b) The governing board should determine an annual budget and apportion costs among the participating municipalities according to the assessed valuation of each. We would expect that the annual budget would not be in excess of \$50,000.

(c) The Transit Agency should employ only a minimum number of staff persons. It should seek the staff assistance of other agencies, such as the Twin Cities Metropolitan Planning Commission, to avoid unnecessary duplication in study or planning.

(d) The agreement which the various municipalities sign in establishing the Transit Agency should provide that municipalities have the right to withdraw from the Agency at a specific time once a year should they desire to do so and that more municipalities which want to join may do so at any time.

3. We recommend that the Transit Agency have the following responsibilities:

(a) Its first and primary responsibility should be to review what type of transit legislation should be enacted by the 1967 Legislature and make preparations for passage of such legislation. This should involve an evaluation of previous transit bills proposed and other suggestions for legislation.

(b) In addition the Transit Agency should be assigned to respond to immediate transit problems in this area to accomplish certain improvements even before action by the Legislature. Its responsibilities should include, but not be limited to, the following: A review of the overall structure of bus routes, rates and schedules in the Twin Cities area with the aim of making recommendations to the appropriate governmental agencies and transit companies; a review of all proposals for transit experiments, such as the park-and-ride proposals now being advanced, so that those experiments with the best chance of success can be tried. The Transit Agency should also study and make proposals on its own for transit experiments.

BACKGROUND

In a report approved by the Board of Directors April 7, 1965, the Citizens League urged the 1965 State Legislature to establish a Metropolitan Transit Agency with the purpose of assuming responsibility for an adequate public transit system in the Twin Cities area now and in the future.

According to the League's recommendations, the Agency would have the power to recommend transit improvements to the appropriate governmental bodies, whether municipal councils, the Railroad and Warehouse Commission or the Minnesota Highway Department, and to the private transit companies.

The League pointed out that the one clearly identifiable need in the transit field in the Twin Cities area today is for area-wide official governmental responsibility for providing an adequate public transportation system. The League stated that such powers as public ownership of transit or regulation of transit companies might be desirable for a Transit Agency in the future, but that the basis for such needs is not clearly established today. The League recommended that the Transit Agency be empowered to recommend to the Legislature whatever additional specific transit legislation would be needed.

At the time the League issued its report, a bill authored by Rep. William G. Kirchner of Richfield was under consideration. The Kirchner bill included many of the provisions urged by the Citizens League but differed in that it provided for the Transit Agency to assume some of the regulatory powers now held by the Railroad and Warehouse Commission.

Subsequently, the bill was amended to conform to the principal Citizens League recommendations. The bill passed the House of Representatives unanimously on the final day of the session. It failed to pass the Senate because of a parliamentary rule. Forty members of the Senate wanted to suspend the rule, but five more votes were needed for the necessary two-thirds.

Following adjournment of the Legislature the Citizens League Legislative Action Committee re-examined the League transit report and concluded that several

of the major recommendations could be carried out without further legislation through the already-existing Joint Powers Act (Minnesota Statutes, Chapter 744, Laws of 1965).

The principal clause of the Joint Powers Act reads as follows:

"Two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised."

At first the Legislative Action Committee considered proposing that counties of the Twin Cities area band together to form a Transit Agency. However, further legal research indicated that it appears unlikely under present state law for county boards to exercise the powers of a Transit Agency. Counties appear to have no statutory authority in the area of public transit. It is possible, though, for governing boards of municipalities to exercise such powers. A municipality now has the power, for example, to petition for changes in bus routes, rates and schedules.

DISCUSSION OF RECOMMENDATIONS

It would seem most unfortunate and unnecessary to wait until the 1967 Legislature or later to begin attacking the transit problem in the Twin Cities area on a coordinated basis.

We see the following important benefits from establishing a Transit Agency now under the Joint Powers Act:

1. *Valuable time is lost if we wait for the Legislature to act.* The Legislature will be meeting in a little more than one year. Establishment of a Transit Agency now would assure that the proper groundwork will be laid for action by the Legislature. The Legislature would be receiving guidance from a responsible public body, presenting a united, coordinated viewpoint. During the coming year the Transit Agency could review the provisions of the Kirchner bill and other transit bills. It could identify precisely what additional governmental powers are needed, and where they should be exercised, in meeting the transit problem. Further, there is no guarantee that the 1967 Legislature, in fact, will pass any kind of a transit bill. Thus it is all the more important that the Transit Agency be created under the Joint Powers Act.

2. *Certain aspects of the transit problem such as proposals for transit experiments are demanding immediate attention.* Ideas for solutions to the ever-growing problem of adequate public transportation are coming forth from every direction today. For example there has been a groundswell of interest lately among municipalities in experimenting with express bus service from suburbs into the central cities, augmented by parking lots in the suburbs for riders who would use these express buses. Such an experiment has begun from a Roseville shopping center to downtown St. Paul, and interest in a similar experiment has been voiced by officials in suburbs west of Minneapolis. We have no way of knowing whether other suburban areas may need such express service as badly or whether there may be other areas as well or better suited for such experiments. Twin City Lines, Inc., admirably has indicated a willingness to work out arrangements for such experiments. But it

is vitally important to the overall success of such projects that the best areas for experiments be selected. A poorly-planned experiment could be unsuccessful, with the result that interest in such experiments elsewhere would diminish. Unfortunately, no public body is vested with the responsibility of looking at the problem from an area-wide basis. That is why we need a Transit Agency now. The Agency would have the necessary area-wide outlook and the necessary resources to evaluate which experiments would be most likely to succeed. The Transit Agency, in addition, would be looking over the entire network of routes, rates and schedules. It could recommend, for example, where new routes should be established or existing routes possibly curtailed. It could investigate the possibility of inter-transfer of bus passengers between bus companies. It could evaluate the parking regulations of various municipalities to see if buses could be speeded up by changing such regulations.

3. *Municipalities of the Twin Cities area would be demonstrating their ability to work together without legislative direction.* Municipalities in this area frequently have tended to think primarily in terms of their own self-interest with little regard to the impact on others. Here is an opportunity for Minneapolis, St. Paul and the suburbs to demonstrate that a clearly area-wide problem can be approached on an overall basis through voluntary cooperation.

It must be emphasized again that a Transit Agency established under the Joint Powers Act is not intended to be the final answer to the transit problem in this area. It will have many limitations. It will lack powers of ownership of transit facilities. Its status as a potential recipient of federal transit aid is uncertain. And there is a strong possibility that the Agency would go out of existence following the 1967 Legislature if the Legislature assigns responsibility to another body.

These limitations, however, in no way diminish the need for creation of a Transit Agency now. We sorely need the area-wide outlook to identify our problems and recommend solutions. In short, the Transit Agency would be a beginning--a coordinated beginning.