

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1364

(SENATE AUTHORS: NEWMAN and Jasinski)		
DATE	D-PG	OFFICIAL STATUS
02/25/2021	543	Introduction and first reading Referred to Transportation Finance and Policy
03/04/2021	670a	Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections
03/25/2021	1164	Comm report: To pass and re-referred to Rules and Administration Joint rule 2.03, referred to Rules and Administration
04/06/2021	1170	Author added Jasinski
	1208	Joint rule 2.03 Suspended amend previous committee report Re-referred to Finance
		See First Special Session 2021, HF10, Art. 4, Sec. 89

1.1

A bill for an act

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relating to transportation; establishing the Transportation Programming and

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Investment Committee; providing duties of the committee; providing appointments;

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proposing coding for new law in Minnesota Statutes, chapter 174.

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

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Section 1. [174.13] TRANSPORTATION PROGRAMMING AND INVESTMENT

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COMMITTEE.

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Subdivision 1. Establishment; duties. (a) The Transportation Programming and

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Investment Committee is established in the department. The committee must provide policy

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direction for the department's capital investments on the transportation system and must

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make programmatic capital investment decisions and recommendations to the commissioner.

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At a minimum, the committee must:

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(1) make, approve, or confirm major policy and spending decisions related to construction

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on trunk highways;

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(2) select projects pursuant to state law and department policies;

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(3) make decisions on trunk highway programming;

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(4) distribute uncommitted funds;

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(5) direct state road construction funds to specific projects, programs, and studies; and

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(6) create and maintain the investment opportunity plan and select projects from that

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list for funding as funds allow.

(b) In making programming decisions, the Transportation Programming and Investment Committee must follow state and federal law and any policy or procedure established by the commissioner. The committee and the commissioner must not override or contradict state or federal law or any policy or procedure adopted by the commissioner.

Subd. 2. **Members.** (a) The Transportation Programming and Investment Committee consists of the following ten voting members:

(1) the department's assistant commissioner for modal planning and program management;

(2) the department's assistant commissioner for state aid;

(3) the department's assistant commissioner for engineering services;

(4) the department's assistant commissioner for operations;

(5) the department's assistant commissioner for sustainability and public health;

(6) the department's chief financial officer;

(7) two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader of the house; and

(8) two senators, one appointed by the senate majority leader and one appointed by the senate minority leader.

(b) In addition to the voting members specified in paragraph (a), the Transportation Programming and Investment Committee consists of the following six nonvoting members:

(1) the department's assistant division director for modal planning and program management;

(2) the department's two assistant division directors for operations;

(3) the department's assistant division director for engineering services;

(4) the department's controller or office director for financial management; and

(5) the department's deputy engineer for state aid.

(c) Any decision or recommendation made by the committee must be made by six or more of the voting members described in paragraph (b), including at least one legislator from each party represented by a legislator on the committee.

(d) The assistant commissioner for modal planning and program management, or the assistant commissioner's designee, serves as the chair of the Transportation Programming and Investment Committee.

3.1 Subd. 3. **Meetings.** (a) The Transportation Programming and Investment Committee
3.2 must meet at least once each calendar month.

3.3 (b) The chair must designate a person to take minutes for each meeting. At a minimum,
3.4 the minutes must include the following information:

3.5 (1) the members and anyone else present for the meeting;

3.6 (2) the issues considered by the committee;

3.7 (3) a summary of the discussion for each issue; and

3.8 (4) the number of yes and no votes for each vote taken.

3.9 The minutes must be posted on the department's website within three calendar days after
3.10 the meeting. The minutes must remain available on the department's website for two calendar
3.11 years after the minutes were posted.

3.12 Subd. 4. **Commissioner response.** If the commissioner does not follow a decision or
3.13 recommendation made by the Transportation Programming and Investment Committee, the
3.14 commissioner must notify the committee, in writing, that the commissioner did not follow
3.15 the decision or recommendation and explain the reasons for the decision. The commissioner
3.16 must post the notification on the department's website within three calendar days of
3.17 submitting it to the committee. The notification must remain available on the department's
3.18 website for two calendar years after the notification was posted.

3.19 Subd. 5. **Investment opportunity plan.** The Transportation Programming and Investment
3.20 Committee must establish and maintain an investment opportunity plan that includes projects
3.21 with an identified need but are not funded by or cannot be funded by the standard
3.22 programming process. The plan must set forth a process to be used when determining how
3.23 to allocate funding. The commissioner must publish the plan on the department's website.
3.24 The committee must publish on the department's website a list of all projects that the
3.25 committee considers for funding. The list must identify the projects that were selected and
3.26 the projects that were not selected. For each project that was not selected, the commissioner
3.27 must include the reason it was not selected.

3.28 **EFFECTIVE DATE.** This section is effective July 1, 2021.

3.29 Sec. 2. **APPOINTMENTS.**

3.30 The speaker of the house of representatives, minority leader of the house of
3.31 representatives, the senate majority leader, and the senate minority leader must make the
3.32 appointments required by section 1 by June 30, 2021.

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