

1.1 A bill for an act
1.2 relating to transportation; establishing collaborative to recommend improvements
1.3 to disadvantaged business enterprise program; proposing coding for new law in
1.4 Minnesota Statutes, chapter 174.

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

1.6 Section 1. [174.186] DISADVANTAGED BUSINESS ENTERPRISE
1.7 COLLABORATIVE.

1.8 Subdivision 1. Establishment; purpose. (a) The commissioner of transportation
1.9 shall convene regular meetings of the disadvantaged business enterprise program and
1.10 workforce inclusion collaborative, as constituted by the commissioner as of January
1.11 1, 2010.

1.12 (b) The collaborative shall review and evaluate the commissioner's implementation
1.13 of the disadvantaged business enterprise program, under Code of Federal Regulations, title
1.14 49, and recommend changes, including possible legislation, to improve the effectiveness
1.15 of the program in this state. At a minimum, the collaborative shall review, evaluate, and
1.16 recommend program changes where necessary in the following areas:

1.17 (1) an on-the-job training program to increase the diversity of the workforce on
1.18 projects;

1.19 (2) on-the-job trainee tracking and retention;

1.20 (3) a mentor and protégé program for small, disadvantaged business entrepreneurs;

1.21 (4) requirements for participation of disadvantaged business enterprises at the time
1.22 of letting bids for contracts;

1.23 (5) a coordinated access point to recruit disadvantaged business enterprises and a
1.24 diverse workforce;

2.1 (6) objective measures for good-faith efforts to recruit disadvantaged business
2.2 enterprises;

2.3 (7) a working capital fund for small disadvantaged business enterprises;

2.4 (8) increased transparency for results in the on-the-job training and disadvantaged
2.5 business enterprise programs;

2.6 (9) civil rights program training;

2.7 (10) a targeted group business program for state-funded projects; and

2.8 (11) coding systems and dual goals for women and people of color.

2.9 (c) The commissioner shall provide staff and administrative support for the
2.10 collaborative and shall establish policies and procedures for the collaborative, including
2.11 quorum requirements and majority decision making.

2.12 (d) The representatives of the Department of Transportation with responsibility for
2.13 civil rights and contracting shall participate in collaborative meetings and deliberations.

2.14 (e) Members of the collaborative do not receive compensation or reimbursement of
2.15 expenses.

2.16 Subd. 2. **Powers and duties; report.** (a) The collaborative shall develop
2.17 recommendations to the commissioner and to the legislature as provided in paragraph (b)
2.18 designed to implement fully the federal Disadvantaged Business Enterprise program in
2.19 this state and to improve the effectiveness of the program. These recommendations,
2.20 including any draft legislation if the collaborative decides to recommend legislation, may
2.21 include, but are not limited to, strategies, policies, and actions focused on:

2.22 (1) requiring bid proposals to include information on disadvantaged business
2.23 enterprise participation;

2.24 (2) defining and implementing appropriate accountability measures when
2.25 disadvantaged business enterprise contract goals are not met in accordance with Code
2.26 of Federal Regulations, title 49;

2.27 (3) sponsoring disadvantaged business enterprise training and development
2.28 workshops; and

2.29 (4) strengthening the content and frequency of department reporting requirements
2.30 relating to the disadvantaged business enterprise program.

2.31 (b) The collaborative shall report its findings and legislative recommendations,
2.32 including draft legislation if the collaborative decides to recommend legislation, to the
2.33 chairs and ranking minority members of the legislative committees and divisions with
2.34 jurisdiction over transportation policy and finance by February 1, 2011. The report must
2.35 be made available electronically and available in print upon request.

3.1 Sec. 2. **EFFECTIVE DATE.**

3.2 This act is effective the day following final enactment.