



# AGC of Minnesota

## 2018 Legislative Session Summary

This legislative session was a “short” one, with goals of passing a tax conformity bill, bonding bill, and supplemental budget to dispense with a small surplus. The GOP led House and Senate did not work in tandem and engaged the governor very late in the process. This led to last minute law making, which drew the governor’s veto for both the tax bill and omnibus finance bill.

### Capital Investment Bill - PASSED

In the final hour of session, the House and Senate passed a capital investment bill that included \$825 million in general obligation bonds, which included \$78 million for the local road improvement program and \$5 million for the local bridge program. To address unmet state transportation needs, it included \$400 million in trunk highway bonds for state roads and bridges. There was also \$120 million for water and sewer projects, as well as \$25 million for school security.

### Hours of Service Exemption - Vetoed

Language was included in the Finance Omnibus bill that would expand the hours of service exemption for intrastate transportation of utility construction materials within a 50-mile radius of a construction or maintenance project site. Utility construction materials include materials used to construct or maintain a street or highway, electric transmission service, telecommunications or cable communications, waterworks, sanitary or storm sewer, gas heating service line, and pipeline.

### Gopher State One Call Database - Vetoed

This language requires utilities to submit direct contact information to Gopher State One Call for excavators when a notification has been given to Gopher State One Call in the event of damage prevention and/or mis-locate markings.

The language was included in the Omnibus Supplemental budget bill.

### Constitutional Amendment for Roads and Bridges - NOT PASSED

A constitutional amendment proposal was pursued that would put a question on the 2018 ballot to constitutionally dedicate the sales tax on auto parts to roads and bridges. AGC worked with a coalition of stakeholders, including the state and local Chambers of Commerce, agricultural groups, trade labor, trucking, and other groups to heavily lobby and promote the bill.

There was strong support in the House for the amendment, but because of the slim margin in the Senate, and partisan opposition from the Democrats, the bill stalled in the Senate. The split between the public sector unions and trade unions created challenges for the Democrats to provide the votes needed.

#### Retainage - NOT PASSED

A proposal was offered from the Minnesota Subcontractors Association that would apply a retainage trigger date to public owners. There was strong resistance from the public owners and the stakeholders, including AGC, never reached consensus. The bill stalled in the Senate.

#### Public Private Partnerships - NOT PASSED

An AGC-backed proposal to create a statutory process for Minnesota to use the public private partnership financing and procurement method was introduced. AGC actively lobbied and educated on the issue. The bill did not progress due to aggressive committee deadlines and the steep learning curve public agencies and legislators experienced on the issue.

#### Best Value - NOT PASSED

AGC introduced a bill that would provide guidance to the best value statute in the highway market to criteria that are objective and measurable. This bill was in response to the use of narratives in the technical portions of best value procurements and its use for the first time on a low-bid project.

The House Transportation Committee had an informational hearing on the bill.

#### Flagger/Hands-free in Work Zones - NOT PASSED

Language that would require hands-free cell phone use while driving through a road construction work zone, and require a sign displaying the \$300 fine for disobeying a work zone flagger, was added to the House Omnibus Finance bill.

The bill, however, did not receive a Senate hearing and did not make final passage. Related to this bill was policy included in the Finance Omnibus bill that would impose increased penalties on those who text while operating a vehicle.