

Date: June 10, 2020

To: The I-35W Solutions Alliance Board of Directors

From: Rob Vanasek

Re: Legislative Report

---

The end of regular legislative session resulted in no bonding bill passing either chamber.

The First Special Session of 2020 will start at noon tomorrow, June 12. The Speaker currently expects it to go until July 4<sup>th</sup>. The Governor has called for addressing economic security, police reform and bonding issues to be the focus on top of a small handful of agreed upon bills that did not have time to pass in regular session. There's also a new COVID response bill or two that will likely be taken up. There may be multiple special sessions this summer and fall.

### **Bonding**

The House bonding bill did fail as expected, 75-58, on the House floor the last Saturday of session, which was the same day the Senate finally released its bonding bill. On Sunday the Senate's bonding bill failed on the Senate floor, 38-29.

Again, the House bill, HF 2529, authored by Rep. Mary Murphy was unveiled May 5th, contained 250 projects and totaled \$2.5 billion. The total amount was much lower than planned pre-COVID, but mirrored the governor's total bonding bill amount. With 36 hours to go, the Senate released a \$999 million bonding bill.

An agreement between Speaker Hortman and Majority Leader Gazelka on a total amount for a bonding bill of between \$1.1-1.35 billion came too late to garner support from House Minority Leader Daudt and therefore a bonding bill was prevented from coming together on the last day of session. Recent conversations with legislators lead us to believe the House is having difficulty reducing the number of projects in its bill.

Leadership between the two chambers were exchanging offers and the majority and minority parties were exchanging offers with progress being made, until the newest pressure on the bonding bill entered as a result of the death of George Floyd. Both talk of reconstruction dollars and policing standards have placed a number of DFL votes for a bonding bill into question.

The Senate bonding bill was labeled by the administration as irresponsible and weighed down by earmarks, primarily transportation projects in greater Minnesota as previously predicted.

The House bonding bill contained a total of \$449M transportation projects. The Senate bill contained \$688M in transportation projects.

These include:

Local Road Improvement Program - \$102, 188,000 H - **\$80M S**

Local Bridge Program - \$111,728,000 H - **\$25M S**

Safe Routes to Schools - \$10M H - **\$2M S**

Passenger Rail \$15M H - **\$0 S**

MnDOT Facilities \$40M H - **\$0 S**

**Maple Grove 610 improvements \$0 H - \$15M S**

Shakopee pedestrian overpass \$2,126,000 H – **\$0 S**

**Savage overpass at Dakota Ave/HWY 13 \$0 H - \$5,269,000 S**

Northfield Transit Station \$2.5M H - **\$0 S**

Met Council Busway Capital Improvement BRT - \$55,000,000 (D Line) H - **\$0 S**

Apple Valley Transit - \$2,625,000 H - **\$0 S**

Ramsey Co Riverview - \$2M H - **\$0 S**

Ramsey Co Rushline - \$2M H - **\$0 S**

DEED – TED program - \$3M H - **\$1.5M S**

The House included language that extends the availability of previously issued funds for the 77<sup>th</sup> ST Underpass until 2024. The Senate did not include this.

Lastly, the Senate bonding bill contained project prioritization policy requirements:

The commissioner of transportation must develop, adopt, and implement a policy for every program or process the commissioner uses to evaluate, prioritize, or select capital projects; award grants for capital projects; or allocate funding or resources for capital projects, including trunk highway and general obligation bonds. At a minimum, the commissioner must adopt a policy for capital project selections and programs for each of the following: rail grade separation program; greater Minnesota transit capital program; state airport development program; safety improvements on crude oil corridors; facilities capital improvement program; Minnesota rail service improvement program; port development assistance program; and passenger rail program. Prior to developing, adopting, or implementing a policy for a program or selection process, the commissioner must consult with the following entities, where appropriate: the Federal Highway Administration; metropolitan planning organizations; regional development commissions; area transportation partnerships; local governments; the Metropolitan Council; transportation stakeholders; or other appropriate federal, state, or local government agencies. The commissioner must develop, adopt, and implement the policy no later than November 1, 2021, and may update the policy as appropriate. The commissioner must publish the policy and updates on the department's website and through other effective means selected by the commissioner.

(b) For each selection process, the policy adopted under this section must:

(1) establish a process that identifies criteria, the weight of each criterion, and a process to score each project based on the weighted criteria. The scoring system may consider project

readiness as a criterion for evaluation, but project readiness must not be a major factor in determining the final score:

(2) identify and apply all relevant criteria contained in enacted Minnesota or federal law, or added by the commissioner;

(3) identify for stakeholders and the general public the candidate project selected under each selection process and every project considered that was not selected;

(4) involve area transportation partnerships and other local authorities, as appropriate, in the process of scoring and ranking candidate projects under consideration;

(5) publicize scoring and decision outcomes concerning each candidate project, including the projects that were considered but not selected, and the reason each project was not selected; and

(6) require that the projects in the state transportation improvement program include the score assigned to the project.

(c) This section does not apply to the following: the safe routes to school program under Minnesota Statutes, section 174.40; the local bridge replacement program under Minnesota Statutes, section 174.50; the local road improvement program under Minnesota Statutes, section 174.52; highway railroad grade crossing-warning devices replacement; statewide freight safety improvements; or high priority bridges for the trunk highway system.

(d) For purposes of this section, a capital project means a project to purchase, replace, or recondition the physical assets that make up the transportation system.

Subd. 2.

**Report to legislature.**

By February 1, 2022, the commissioner must submit a report to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation policy and finance concerning the adopted policy and how the policy is anticipated to improve the consistency, objectivity, and transparency of the selection process. The report must include information on input from members of the public and the organizations identified in subdivision 1.