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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1767**

March 7, 2007

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to transportation; requiring the commissioner of transportation to utilize
1.3 available federal funds in highway construction training programs; requiring
1.4 reports on training programs and disadvantaged business enterprise program;
1.5 amending Minnesota Statutes 2006, section 174.03, by adding subdivisions.

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

1.7 Section 1. Minnesota Statutes 2006, section 174.03, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 10. Highway construction training. (a) The commissioner of transportation
1.10 shall utilize all federal funds available to this state under United States Code, title 23,
1.11 section 140, paragraph (b), to develop, conduct, and administer highway construction
1.12 training, including skill improvement programs.

1.13 (b) The commissioner of transportation must report by February 1 of each
1.14 odd-numbered year to the house of representatives and senate committees having
1.15 jurisdiction over transportation policy and finance concerning the commissioner's
1.16 compliance with paragraph (a). The report must, with respect to each of the two previous
1.17 calendar years:

1.18 (1) describe the highway construction training and skill improvement programs the
1.19 commissioner has conducted and administered;

1.20 (2) analyze the results of the commissioner's training programs;

1.21 (3) state the amount of federal funds available to this state under United States Code,
1.22 title 23, section 140, paragraph (b); and

1.23 (4) identify the amount spent by the commissioner in conducting and administering
1.24 the programs.

2.1 Sec. 2. Minnesota Statutes 2006, section 174.03, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 11. **Disadvantaged business enterprise program.** (a) The commissioner
2.4 shall include in each contract that is funded at least in part by federal funds, a penalty
2.5 for each contractor who does not meet the established project disadvantaged business
2.6 enterprise goal or demonstrate good faith effort to meet the goal.

2.7 (b) The commissioner of transportation shall report by February 1 of each
2.8 odd-numbered year to the house of representatives and senate committees having
2.9 jurisdiction over transportation policy and finance concerning the commissioner's
2.10 disadvantaged business enterprise program. The report must, with respect to each of
2.11 the two previous calendar years:

2.12 (1) state the department's annual aspirational goal, compared with the percentage
2.13 attained;

2.14 (2) explain the methodology, applicable facts, and public participation used to
2.15 establish the aspirational goal;

2.16 (3) describe good faith efforts to meet the goal, if the goal was not attained;

2.17 (4) describe actions to address overconcentration of disadvantaged business
2.18 enterprises in certain types of work;

2.19 (5) state the number of contracts that included disadvantaged business enterprise
2.20 goals, the number of contractors that met established disadvantaged business enterprise
2.21 goals, and penalties imposed for lack of good faith effort; and

2.22 (6) describe contracts with no disadvantaged business enterprise goals, and, of
2.23 those, state number of contracts and amount of each contract with targeted groups under
2.24 section 16C.16.