



# AGC of Minnesota 2020 Legislative Program

## ITEMS OF NOTE:

- The 2020 session begins February 11; adjournment date is May 18.
- 2020 is a session primarily focused on capital investment and policy changes; the latest budget forecast projects a General Fund surplus of \$1.5 billion surplus for FY2021-22.
- Minnesota is the only state with a divided legislature in the 2019-20 biennium.

## **ADVOCACY**

**(AGC Sponsored or Endorsed Legislation)**

### **General Obligation Bonds for Transportation and Utility Infrastructure Projects**

AGC supports a significant level of General Obligation bonding for local system bridge construction, the Local Road Improvement Program, and maximum PFA bonding dollars to leverage water infrastructure projects.

### **Comprehensive Transportation Funding**

AGC will heavily advocate for funding for transportation infrastructure -roads, bridges, and transit- that provide increased, stable, and dedicated funding to address unmet needs across the state. New and current state leaders have voiced their commitment to investing in the state's infrastructure. Leading up to the 2021 budget-setting session, AGC will work with other groups to amplify our collective voice in support of a transportation package that includes various funding options.

## **Work Zone Safety**

AGC will continue to advocate for a comprehensive approach to address safety for construction workers and the traveling public in a work zone. AGC will explore options to provide funding options that improve safety, particularly if funds can enhance the use of technology to prevent incidents.

## **Worker Safety and Underground Damage Prevention**

AGC supports legislation that prioritizes worker safety, the general public, and utility infrastructure safety. Highway, commercial building, and utility contractors have been facing mounting problems with improperly marked locates, timeliness of locating utility lines, and decreased participation by utility operators to attend required meetings for upcoming construction projects. Specifically, AGC supports amending the excavation notice system laws (Chapter 216D) to add worker and contractor protections, improve the quality of utility mapping, and allow for contractor recourse when they face downtime due to negligence by a utility. AGC is also working with the MN Office of Pipeline Safety and other interested parties to educate members on rights and responsibilities under current law.

## **Wage Theft Clarifications**

A new wage theft law passed in the 2019 legislative session instituted several new compliance measures to ensure proper payment to employees. AGC will advocate to clarify the statute with regards to initial notification for seasonal employees and ways to provide timely notice when an employee shifts projects or equipment. AGC supports certain measure to codify current interpretations and practice by the Department of Labor and Industry.

# **SUPPORTIVE INVOLVEMENT**

## **(Initiatives from Other Sources/Organizations)**

### **Building Jobs Coalition (BJC) – Construction Market Stimulus Initiatives**

The central focus of the BJC in 2019 will be to advocate for a comprehensive infrastructure bonding bill to meet pent-up needs, but also to return to the rhythm of the design and construction cycle the industry has followed in the past. Efforts will continue to increase to emphasize workforce development.

### **Permit Streamlining & Environmental Regulations**

AGC will evaluate opportunities to streamline permit processes and reduce regulatory

burdens for the utility infrastructure, vertical, and transportation construction sectors.

### **Pilot and Escort Car Safety**

AGC will work with the Department of Public Safety to update pilot and escort car safety standards as needed.

## **MONITOR & ENGAGE**

**(Initiatives from Other Sources/Organizations)**

### **Labor Relations Issues/Proposals**

AGC will continue to monitor closely any proposals that may change prevailing wage law, project labor agreements, safety requirements, workplace requirements, etc.

- **4-10s at Straight Time:** AGC will explore opportunities to change state prevailing wage law and provide overtime after 40 hours and allow (4) ten-hour days paid at straight time rates.

### **Contract Procurement Issues**

Initiatives to change public contract procurement processes are perennial at the Capitol. AGC will continue to engage and represent the interests of all contractors with any proposal that changes current public procurement laws.

### **P3 Procurement & Project Delivery Authorization**

AGC will monitor federal and state government actions that may provide opportunities for a statutory authorization for public private partnerships (P3) in the construction sector.

### **Equipment “Right to Repair” Legislation**

AGC will evaluate proposals that seek to allow consumers or independent distributors to repair and modify their own electronic devices and equipment. AGC will review potential impacts for contractors as it pertains to heavy equipment and encourage groups working on a legislative agreement to prioritize safety as well as continuing education for technicians.

### **Sales Tax Exemption for Building Materials**

AGC will pursue legislative adjustments or dialog with the MN Department of Revenue regarding the clarification of provisions related to the sales tax exemption for construction materials.

## **Workforce Hiring Goal Changes & State Administrative Procedures Act**

AGC will continue looking for opportunities to enact changes that would require the Minnesota Department of Human Rights to be bound by provisions of the State Administrative Procedures Act when setting workforce participation goals on publicly funded projects. Specifically, this would require public hearing and public comment opportunity when changes to the goals are proposed.

## **Duty to Defend**

AGC continues to monitor and engage as necessary to preserve the existing construction contract insurance provision that requires insurance to cover the defense costs of vicarious liability claims against upper tier subcontractors, general contractors, and project owners.

## **Other**

AGC will monitor and engage in any other items of interest to the industry.