

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2935

(SENATE AUTHORS: FATEH)

DATE
03/15/2023

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Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; amending certain limitations related to highway purposes;
1.3 amending Minnesota Statutes 2022, sections 161.045; 161.20, subdivision 3.

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

1.5 Section 1. Minnesota Statutes 2022, section 161.045, is amended to read:

1.6 **161.045 HIGHWAY USER TAX DISTRIBUTION FUND APPROPRIATIONS;**
1.7 **TRUNK HIGHWAY FUND APPROPRIATIONS.**

1.8 Subdivision 1. ~~Definition~~ Definitions. (a) For purposes of this section, the following
1.9 terms have the meanings given.

1.10 (b) "Commissioner" means any commissioner of a state agency that either proposes to
1.11 spend or spends funds out of the highway user tax distribution fund or the trunk highway
1.12 fund.

1.13 (c) "Highway purposes" includes but is not limited to:

1.14 (1) construction, improvement, maintenance, and operations of a highway;

1.15 (2) multimodal infrastructure within highway right-of-way related to (i) transit, (ii) active
1.16 transportation, and (iii) reduction of greenhouse gas emissions; and

1.17 (3) activities directly related to, or necessary to administer or support, the purposes
1.18 specified in clauses (1) and (2).

1.19 (d) "Trunk highway purposes" includes but is not limited to highway purposes for the
1.20 trunk highway system.

2.1 Subd. 2. **General expenditure requirements.** A commissioner may expend highway
 2.2 user tax distribution funds only for highway purposes and may expend trunk highway funds
 2.3 only for trunk highway purposes.

2.4 Subd. 3. **Limitations on spending.** (a) A commissioner must not pay for any of the
 2.5 following with funds from the highway user tax distribution fund or the trunk highway fund:

2.6 (1) Bureau of Criminal Apprehension laboratory;

2.7 (2) Explore Minnesota Tourism kiosks;

2.8 ~~(3) Minnesota Safety Council;~~

2.9 ~~(4) driver education programs;~~

2.10 ~~(5)~~ (3) Emergency Medical Services Regulatory Board;

2.11 ~~(6)~~ (4) Mississippi River Parkway Commission;

2.12 ~~(7)~~ (5) payments to the Department of Information Technology Services in excess of
 2.13 actual costs incurred for trunk highway purposes;

2.14 ~~(8)~~ (6) personnel costs incurred on behalf of the governor's office;

2.15 ~~(9)~~ (7) the Office of Aeronautics within the Department of Transportation;

2.16 ~~(10) the Office of Transit and Active Transportation within the Department of~~
 2.17 ~~Transportation;~~

2.18 ~~(11) the Office of Passenger Rail;~~

2.19 ~~(12)~~ (8) purchase and maintenance of soft body armor under section 299A.38;

2.20 ~~(13)~~ (9) tourist information centers;

2.21 ~~(14)~~ (10) parades, events, or sponsorships of events;

2.22 ~~(15)~~ (11) rent and utility expenses for the department's central office building;

2.23 ~~(16) the installation, construction, expansion, or maintenance of public electric vehicle~~
 2.24 ~~infrastructure;~~

2.25 ~~(17)~~ (12) the statewide notification center for excavation services pursuant to chapter
 2.26 216D; and

2.27 ~~(18)~~ (13) manufacturing license plates.

2.28 (b) The prohibition in paragraph (a) includes all expenses for the named entity or program,
 2.29 including but not limited to payroll, purchased services, supplies, repairs, and equipment.

3.1 This prohibition on spending applies to any successor entities or programs that are
3.2 substantially similar to the entity or program named in this subdivision.

3.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

3.4 Sec. 2. Minnesota Statutes 2022, section 161.20, subdivision 3, is amended to read:

3.5 Subd. 3. **Trunk highway fund appropriations.** The commissioner may expend trunk
3.6 highway funds only for trunk highway purposes. Payment of expenses related to Bureau of
3.7 Criminal Apprehension laboratory, Explore Minnesota Tourism kiosks, ~~Minnesota Safety~~
3.8 ~~Council, driver education programs,~~ Emergency Medical Services Board, Mississippi River
3.9 Parkway Commission, payments to the Department of Information Technology Services in
3.10 excess of actual costs incurred for trunk highway purposes, and personnel costs incurred
3.11 on behalf of the Governor's Office do not further a highway purpose and do not aid in the
3.12 construction, improvement, or maintenance of the highway system.

3.13 **EFFECTIVE DATE.** This section is effective July 1, 2023.