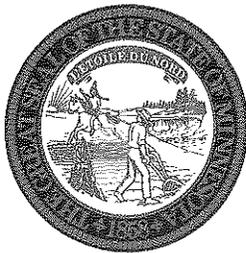


Tim Kelly
State Representative
District 21A
Goodhue and Wabasha Counties



Minnesota House of Representatives

COMMITTEES:
CHAIR, TRANSPORTATION POLICY AND FINANCE
ETHICS
HEALTH AND HUMAN SERVICES REFORM
RULES AND LEGISLATIVE ADMINISTRATION

October 19, 2016

Commissioner Myron Frans
Minnesota Department of Management and Budget
400 Centennial Office Building
658 Cedar Street
St Paul MN 55155

Dear Commissioner Frans,

Pursuant to Minnesota Statutes 3.3005, subdivision 6, I am writing to object to the Minnesota Department of Transportation's recent LAC request to authorize the expenditure of \$105 million in additional funding received from the Federal FAST Act. There are several reasons for my objection. However, the most significant and nonnegotiable would be item 1.

1. Historically these funds have always been a direct appropriation by the legislature. This would be unprecedented for the legislature to give up this oversight authority especially for this large of an expenditure.

The following issues are also concerning:

- a. MNDOT administrative leadership has failed to come and discuss this issue with myself or staff as to what the risk of delaying appropriating until next session actually is. When asked, the administration has yet to give a firm answer as to how much money would truly need to be appropriated at this time which would be at risk of being lost. In fact, MNDOT leadership staff recently stated that these appropriations could be dealt with next session in conversations to at least two committee staff, including the committee fiscal staff.
- b. The legislature had a significant portion of this FAST Act spending authorization appropriated in the Capital Investment Bill (HF622) with a \$20M authorization earmarked for FY2016 and an additional \$70M for FY2017. This bill also had significant funding for local communities to fund their local roads and bridges and rail grade crossings upgrades. HF622 passed the House and also the Senate but was not repassed by both bodies. Governor Dayton has decided not to call a special session to consider this bill.



Please feel free to contact me with additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Kelly". The signature is written in a cursive style with a prominent initial "T".

Tim Kelly

Chair, House Transportation Policy and Finance Committee
Minnesota House of Representatives
District 21A

Cc: Commissioner Charles Zelle
Speaker Kurt Daudt
Representative Jim Knoblach
Senator Tom Bakk
Senator Richard Cohen
Senator Scott Dibble