

## **Special Session Update**

Governor Walz called the Legislature into special session last Friday, June 12. To extend emergency orders, the Governor is required to call the Legislature back into session to weigh in on any extension, if the Legislature is not in session. See below for updates on special session activity of interest to Metro Cities.

## **Federal CARES Act Funding and Local Governments**

Bills to distribute 45% of the state's share of federal CARES Act funding are being considered in the special session. SF 47-Rosen passed the Senate by a 62-4 vote Monday. The bill would appropriate \$841.4 million, which represents 45% of the state's share of this funding, to local governments including counties, cities and towns. Metro Cities supports a 45% share of the state's allocation to be distributed to local governments and has supported an equitable distribution among cities and counties, with funds distributed directly, and an efficient mechanism for the return of any unspent funds. While SF 47 does not provide for full equity in the distribution between cities and counties, Metro Cities has recognized the need for compromise on the bill's distribution formula and supports the bill's inclusion of \$841.4 million for distribution to local governments as well as allowing uses of funds that is consistent with federal guidance. We have also continued to articulate the importance of prompt legislative action on this funding, so that funds can be used by cities within the abbreviated timeframe stipulated under the federal law. Click [HERE](#) for a spreadsheet showing the distribution to cities under the bill.

The companion bill, HF 128-Marquart, is scheduled for informational discussion in the House Ways and Means Committee this afternoon, with action expected in the committee Thursday morning. An amendment is anticipated to be proposed to the bill that would add a Governor's supplemental budget request. The original bill has significant bi-partisan support. It is unclear if the addition of any amendments will generate the same level of support for the bill. If an amended bill passes the House, the Senate will need to reconsider the bill as it was amended.

During the House floor session this afternoon, a motion was made to suspend House rules to allow the bill to be considered today, rather than waiting for committee action. That motion requires a two-thirds vote and failed on a 58-74 vote.

Metro Cities encourages city officials to contact your local legislators to express support for this funding.

Please contact Patricia Nauman at 651-215-4002 or [patricia@metrocitiesmn.org](mailto:patricia@metrocitiesmn.org) with any questions.

## **Public Safety Reform Bills**

Several bills addressing law enforcement reform have been heard in both the House and Senate, beginning last weekend as the special session began. The House Public Safety and Criminal Justice Reform Finance and Policy Division held an all-day informational hearing on the House People of Color Indigenous (POCI) Caucus' proposals on Saturday June 13<sup>th</sup>. The proposed legislation is contained in three packages: The Reclaiming Community Oversight Act, The

## Reforming Accountability Act, and The Re-imagining Public Safety Act.

During the hearing, Department of Public Safety Commissioner John Harrington spoke to committees in both bodies about a State of Minnesota Working Group on Police-Involved Deadly Force Encounters and the group's findings. Commissioner Harrington emphasized that use of force is not an issue exclusive to the metropolitan area, reporting that 60% of deadly force encounters in MN occur in greater Minnesota. The group also discussed that at least 50% of deadly force encounters involved an individual suffering from a mental health or other crisis. Click [HERE](#) for the executive summary published by the working group, including the 28 recommendations that are proposed.

Pieces of each act have been heard in the Government Operations Committee, the Judiciary Finance and Civil Law Division, and/or the Ways and Means Committee this week. Details for each legislative package can be found below.

[The Reclaiming Community Oversight Act](#) (HF 93 - Mariani) is the largest of the three Acts and includes several provisions of note for cities.

**Law enforcement oversight council reform:** (Article 1, Sections 5-10) Requires all cities employing 50 or more sworn peace officers to establish citizen oversight councils to increase accountability and citizen involvement in public safety. For smaller departments this provision would be permissive. The membership of these councils must be representative of their communities. Councils can include members of law enforcement but should be weighted toward citizen members.

Citizen oversight councils would convene regularly and may make recommendations related to law enforcement tactics, agency budgets, employment policies, and more. Citizen oversight councils would be able to conduct investigations into allegations of peace officer misconduct. Such investigations would occur after any criminal investigations have concluded.

**Retroactive repeal of statutes of limitations:** (Article 2, Sections 1-3) This provision would repeal the statute of limitations for cases of alleged sexual assault by a peace officer. The statute of limitations would similarly be repealed for cases of officer involved deaths.

**Arbitration reform:** (Article 2, Section 11) The governor would be directed to appoint six arbitrators who are specifically qualified to handle peace officer grievance arbitrations. Individuals would be selected based on their knowledge and experience in this area. Anyone seeking appointment to this roster must complete a training on culture competency, racism, and implicit bias. The MN Chiefs of Police Association testified in support of changes to this process. This legislation still leaves the arbitration process intact.

Other pieces of The Reclaiming Community Oversight Act include:

- The prohibition of "Warrior Training"
- A ban on chokeholds
- A statewide duty to intercede
- Police residency reform: Original language would allow Minneapolis and St. Paul to impose residency requirements for newly hired officers. It has been suggested that all cities should have the authority to impose such a requirement.
- Data collection and regulatory reform

[The Reforming Accountability Act](#) (HF 1 - Mariani) includes provisions meant to hold officers who use excessive force to account and seeks to clarify use of force policies. The proposal also addresses the idea that there is at least the perception of a conflict of interest in officer-involved death investigations and prosecutions. The Act includes the following provisions:

- Use of force reform: Would put the sanctity of life at the forefront.
- Prosecutorial reform: Puts the State Attorney General in charge of charging and prosecuting in cases of peace-officer-involved deaths.
- Investigatory reform: Creates a unit within the Bureau of Criminal Apprehension to investigate cases of peace-officer-involved deaths.
- Cash bail reform: Requires the release of those accused of a misdemeanor (with some exceptions) unless there is a substantial likelihood that the defendant will not report to court.

[The Re-imagining Public Safety Act](#) (HF 92 - Mariani) proposes changes to public safety that address the mental health needs of officers and the people they serve. The Act includes the following provisions:

- Public safety peer counseling debriefing: Creates a team to assist officers in their efforts to deal with stress. Hopes to address officers' needs before they must report to a new crisis in their work.
- Peace Officer critical incident review: Requires the POST Board to establish a CIR team to investigate after any criminal investigation has concluded. The CIR team would then make reports and recommendations available to the POST Board, the legislature, and the public.
- Community led public safety: Issues grants to community organizations concerned with public safety.
- Mental health training: Establishes standards for intervention and training around mental illness.
- Autism training: Establishes autism training for law enforcement.
- Initiatives to restore the vote for the formerly incarcerated

The following bills were heard on an informational basis in the Senate Committee on Judiciary and Public Safety Finance and Policy on Tuesday. The bills were heard and passed by the Senate after a lengthy floor debate on Monday. During the debate, members of the Senate POCI Caucus expressed concern that that the proposals did not address concerns their communities have expressed with the current law enforcement system. The bills passed by the Senate are:

[SF 1 - Limmer](#) Peace officers standards and training: Sustains funding to the POST board for peace officer training assistance (\$6 million each year).

[SF 3 - Ingebrigtsen](#) Law enforcement use of force: Requires a chief law enforcement officer to report on use of force incidents resulting in bodily harm or death to the Bureau of Criminal Apprehension. These reports are to be collected, analyzed, and compiled into an annual report which will be given to ranking to public safety chairs and ranking members in each legislative body.

[SF 5 - Ingebrigtsen](#) Public safety peer support activity: Limits the disclosure of information acquired during the public safety peer support activities.

[SF 49 - Ingebrigtsen](#) Law enforcement hiring: Expands access to law enforcement hiring data.

[SF 104 - Limmer](#) POST Board use of force policy: Instructs the board to update their policy on use of force. Includes a duty to intercede, reporting requirements, and limitations on the use of chokeholds.

Questions? Please contact Steven Huser at [steven@metrocitiesmn.org](mailto:steven@metrocitiesmn.org) or 651-215-4003.

## **Bonding Bill Heard in the Senate Capital Investment Committee**

[SF 4 - Senjem](#) was heard in the Senate Capital Investment Committee on Monday. The bill totals \$1.12 billion. A spreadsheet compares the bill from the regular session bill with SF 4 as amended. Click [HERE](#) to view that comparison spreadsheet to see what additional projects have been included in the latest Senate bill.

### Housing

The Senate increased the GO bonds for publicly owned housing from \$2 million to \$4 million with its latest bill. The bill still does not contain housing infrastructure bonds, which Bonding Chair Sen. Senjem explained are being negotiated separately from the bonding bill.

Management and Budget Commissioner Frans testified before the committee along with Commissioner Margaret Anderson Kelliher of MnDOT. Both advocated for a larger bill. The Governor held a press conference Tuesday afternoon along with Lt. Governor Flanagan expressing support for a larger bill.

Stay tuned for additional updates and legislative alerts.

## **House Environment, Ways & Means Committees Pass Environment Omnibus Bill**

The House Environment Committee and the House Ways and Means Committee passed [HF 28 - Hansen](#), the Environment Policy and Supplemental Spending and LCCMR bill. This bill includes projects recommended by the LCCMR. This is the same bill as last session, with some changes related to environmental covenant related to solid waste and related to closed landfills and property liens. An amendment for \$6 million from the state general fund to the MN Zoo in response to zoo losses due to closure during the COVID-19 pandemic, was adopted to the bill. The bill was passed to the Ways and Means Committee.

## **Small Business Assistance Grants Signed Into Law**

The legislature passed HF 5 which provides emergency small business assistance to businesses impacted by COVID-19. The new law, [Chapter 1](#) in the special session, was signed into law by Governor Walz on June 16.

The bill uses \$60 million in federal dollars, from the coronavirus relief fund, for awards to be administered by DEED. \$2.5 million is transferred from the state's loan guarantee program, most of which can be used for administrative costs. Fifty percent of the funds go to the metropolitan region and fifty percent to greater Minnesota. Grants are capped at \$10,000 to individual businesses that are located in Minnesota, have a permanent physical location, were in good standing with the state on March 1, 2020, employ up to 50 workers, and can demonstrate financial hardship as a result of the COVID-19 outbreak. Grant funds received by individual businesses will be used for working capital to support payroll expenses, rent, mortgage payments, utility bills, and other similar expenses that occur or have occurred since March 1, 2020, in the regular course of business.

The grants are targeted to different sizes and ownership types of businesses. A minimum of \$18 million is for businesses that employ up to 6 workers, a minimum of \$10 million is for minority business enterprises, at least \$2.5 million is for veteran-owned and operated businesses, and at least \$2.5 million is for businesses that are majority owned and operated by women.

A minimum of \$2.5 million is for grants to operators of a privately owned permanent indoor retail space and food market that has an ethnic cultural emphasis having at least 25 tenants primarily comprised of businesses with fewer than 20 employees.

Grants must be awarded by lottery after applications are collected over a period of no more than ten calendar days. Grants must be awarded by December 30, 2020. Contact Charlie Vander Aarde at 651-366-7564 or [charlie@metrocitiesmn.org](mailto:charlie@metrocitiesmn.org) with any questions.

### **Evictions Moratorium Update**

Governor Walz issued [Executive Order 20-73](#) which clarifies evictions, lease terminations and orders to vacate a property during the peacetime emergency. The peacetime emergency was extended through July 13 via [Executive Order 20-75](#).

[Executive Order 20-14](#) was the governor's original order that temporarily suspended evictions. The new language provides an exception for evictions "where the tenant seriously endangered the safety of others on the premises, including the common area and the curtilage of the premises, if the serious endangerment of others who are not residents is a material violation of the lease." Contact Charlie Vander Aarde at 651-366-7564 or [charlie@metrocitiesmn.org](mailto:charlie@metrocitiesmn.org) with any questions.

### **House Bills Would Create Metropolitan Redevelopment Area Corporation**

The House this week has debated several versions of a proposal that would create a new political subdivision to develop short- and long-term redevelopment plans and to make grants to aid in the redevelopment of areas damaged by recent civil unrest. House Files 85, 86 and 87 are similar bills that have been heard in the House Jobs and House Taxes committees this week.

Advocates for the legislation explained the newly created corporation "shall identify and address the adverse impacts of racial discrimination in the metropolitan area by facilitating access by people of color and indigenous persons to resources for development of health care facilities and services, small businesses, safe and affordable housing, and other benefits of society that have historically been unavailable to them due to systemic barriers. The corporation shall foster equitable economic development to prevent gentrification and displacement of low-income residents, homes, and small businesses owned by people of color and indigenous people. The corporation shall foster enterprise development and wealth creation in communities adversely affected by racial discrimination and poverty."

The corporation would establish a redevelopment account funded by a 1/8 cent sales tax collected in all seven metro counties. The proposal also allows a city, county, or the Metropolitan Council to issue bonds without an election and outside debt limits to provide money for grants approved by the Metropolitan Redevelopment Area Corporation. The bonds may be general obligation sales tax revenue bonds or any other debt obligation available to the issuing entity. The 1/8 cent sales tax is subject to a reverse referendum.

Initially, Minneapolis, Saint Paul and surrounding communities would be eligible to participate. Beginning January 1, 2026, every city in the metropolitan region would be eligible. The bill also requires the mayors of the cities to appoint liaisons to the corporation (city councilmember or department head).



Questions? Contact Patricia Nauman at [patricia@metrocitiesmn.org](mailto:patricia@metrocitiesmn.org) or 651-215-4002.

## **Municipal Permit Fee and Expense Report Due June 30**

Cities that received at least \$5,000 in permit fees in 2019 are required to submit the [Municipal Construction and Development Fee Revenue and Expenses Annual Report](#) to the Department of Labor and Industry by June 30.

This is the same report and form that has been required in previous years. This year, DLI has taken input from Metro Cities, the League of Minnesota Cities and builders to revise the form for 2020 permit fees and expenses, due June 2021. Contact Charlie Vander Aarde at 651-366-7564 or [charlie@metrocitiesmn.org](mailto:charlie@metrocitiesmn.org) with any questions.

## **Metro Cities' Policy Committees**

Metro Cities is preparing for its 2020 policy development process, and your participation is encouraged! Meetings will be conducted remotely. Four policy committees will meet in July, August and September; see below for committees and schedules. Policy committees are open for participation by member city elected officials and staff, and a form to sign-up can be found on the Policy Committees page of the website. Whether you are new to the process or have participated in a committee in the past, your participation is welcome and encouraged.

Remember:

- Committees will meet either Monday, Tuesday, or Wednesday in the morning from 9:00-11:30 am or the afternoon from 1:00-3:30. Committees and dates are listed below and on our [website](#). Additional information, including remote meeting processes and access, will be posted on these pages as it becomes available.
- Please be sure to sign up for the committee(s) you wish to attend. This will help us keep our rosters current and accurate.
- Again, due to the COVID-19 Pandemic, meetings will be conducted virtually.

We look forward to seeing you this summer! More information to follow.

### **Transportation & General Government**

*Mondays: July 20, August 17, September 21 / 9-11:30a.m.*

*Chair: **Jason Gadd**, Mayor, Hopkins*

### **Municipal Revenues**

*Tuesdays: July 21, August 18, September 22 / 9-11:30a.m.*

*Chair: **Patrick Trudgeon**, City Manager, Roseville*

### **Metropolitan Agencies**

*Wednesdays: July 22, August 19, September 23 / 9-11:30a.m.*

*Chair: **Gary Hansen**, Councilmember, Eagan*

### **Housing & Economic Development**

*Wednesdays: July 22, August 19, September 23 / 1-3:30p.m.*

*Chair: **Bryan Hartman**, HRA Program Manager, Bloomington*

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