

ACTION ALERT: Zoning Preemption Bill Hearing Scheduled Next Week

Proposed legislation preempting local planning, zoning and land use authorities is scheduled for a hearing in a House committee next Wednesday, February 23. Key provisions of concern to Metro Cities are highlighted below:

HF 3256 – Elkins:

- Mandates upzoning for all cities to allow duplexes and accessory dwelling units (ADUs) on all parcels.
- Establishes minimum 8 units/acre density for unsubdivided land.
- Eliminates planned and staged developments in metropolitan area.
- Removes long-standing city planning authorities, effectively privatizing planning functions.
- Limits the use of PUDs and aesthetic considerations.
- Preempts interim ordinances.
- Limits a city from requiring or allowing more than a one-car garage.
- Caps street widths.
- Restricts what metropolitan cities can count toward negotiated Affordable Housing Goals (with the Metropolitan Council).
- Restricts several planning processes that are currently negotiated between cities in the metropolitan area and the Metropolitan Council.

Metro Cities encourages metropolitan city officials to **contact your local legislators as well as members of the House Local Government Division to oppose HF 3256 and to express support for preserving local decision-making authorities.**

Local perspectives on the importance of local zoning and land use decision-making to meeting current and future development and housing needs will be important for legislators to hear, as is support for necessary state funding to assist cities in advancing homeownership, preservation, and construction.

The Senate companion, SF 3259 – Draheim, was introduced this week, and referred to the Senate Housing committee. Metro Cities will share when it is scheduled for a hearing in the Senate. Please contact Charlie Vander Aarde at charlie@metrocitiesmn.org or 651-215-4001 with any questions.

Public Safety Bills

This week, the Governor and Lieutenant Governor met in Eagan with city officials and first responders to discuss the administration's public safety budget proposal. The proposal aims to reduce crime and increase community trust by investing in local law enforcement agencies, including \$300 million (over three years) in direct aid to cities, counties, and tribes to address local public safety needs. The average aid amount for cities across the state is \$240,000 per year. Click [HERE](#) to view amounts for each eligible city. The discussion with city leaders included ways in which cities are working to build trust between law enforcement and the local community as well as challenges local agencies are experiencing in retention and recruitment. The "Protecting Health and Safety" package also calls for the prioritization of youth intervention and juvenile justice, the legalization of adult-use cannabis, expanded access to affordable health care, housing investments, and the development of climate-resilient infrastructure. Click [HERE](#) to view the budget document.

The Minnesota State Senate continues to consider legislation focused on bolstering law enforcement recruitment. [SF 2848 – Housley](#) passed the Senate floor and was sent to the House. The bill appropriates \$1 million to the Dept. of Public Safety to work with the POST Board on a marketing and advertising campaign to publicly promote law enforcement careers across the state. Another \$1 million was added to the bill to be appropriated to the Dept. of Public Safety for the Pathways to Policing Program, which recruits nontraditional candidates into the profession. In the House, this bill was referred to the Public Safety Committee, but has not yet received a hearing. Other bills were heard in the Senate Judiciary Committee this week that would offer tuition reimbursements ([SF 2846 – Chamberlain](#)) and hiring bonuses ([SF 3073 – Gazelka](#)) for peace officers. Finally, [SF 2934 – Jasinski](#) was heard in committee and would appropriate funding for a specific nonprofit dealing with law enforcement mental health.

The House Public Safety committee held a hearing for [HF 3398-Hollins](#), which limits the use of no-knock search warrants by law enforcement. The bill also requires the development of a new training course on search, seizure, and obtaining and executing warrants. Finally, the bill requires the POST Board to develop a model policy that local law enforcement agencies must adopt. Several community organizations testified in favor of the legislation, but testimony from law enforcement was mixed. Three GOP amendments were offered and voted down, and the bill was passed and referred to the House Judiciary Committee.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Housing Committee Reviews Housing Spectrum Act

The House Housing committee debated and passed [HF 2880](#) – Hausman, a city-supported bill that would strengthen the state-local partnership to address a range of housing needs. The Comprehensive Housing Spectrum Act, initiated by the League of MN Cities, includes funding for a number of housing programs that would help preserve and construct new homes in cities in the metropolitan region as well as statewide. A bill [summary is available here](#).

The bill funds naturally-occurring affordable housing preservation, housing infrastructure bonds for privately-owned housing, general obligation bonds for publicly-owned housing, and a state match for local housing trust funds. It also authorizes a mortgage registry and deed tax on home sales as well as imposes an excise tax on corporate entities purchasing residential real property.

Metro Cities has long supported adequate state funding as well as adequate and flexible local tools that have demonstrable results in supporting homeownership by reducing barriers to housing, increasing housing construction, preserving existing homes, and providing housing

stability. Many state programs are scalable based on funding and are tied to affordability and reducing homeownership disparities.

The Senate companion, [SF 3147](#) – Dzedzic, awaits a hearing in the Senate Housing committee. Please contact Charlie Vander Aarde at charlie@metrocitiesmn.org or 651-215-4001 with any questions.

Revenue Presents 4d Report

The Department of Revenue presented its [2021 report on the 4-d Low Income Rental Classification](#) to the House Property Tax Division this week. The report was issued after a Metro Cities-supported study was authorized in the 2021 tax law.

The study and report were in response to a legislative proposal to eliminate the 0.75 percent first tier classification for 4d-qualified units and implement a 0.25 percent property tax rate. That reduced rate would be the lowest property tax rate in the state. The report showed the property tax shifts that would result from the reduction and the greater impact on cities with a higher percentage of 4d units.

Metro Cities remains concerned about property tax shifts and lack of public benefits defined in the expansion bill. No other hearings on the 4d proposal have been scheduled at this time. Please contact Charlie Vander Aarde at charlie@metrocitiesmn.org or 651-215-4001 with any questions.

Legislators Call for SWLRT Audit

Hearings in both the House and Senate this week addressed the METRO Green Line Extension and the Metropolitan Council's management of the project. [SF 2676 – Dibble/HF 3035 – Hornstein](#) directs the Legislative Auditor to conduct a special review or program evaluation of the project. Senator Dibble has also introduced language that would have MnDOT assume responsibility of the project.

For context, it was announced that the Metro Green Line Extension project's opening date has been pushed back to 2027 and the total project cost has increased to \$2.75 billion. Once in operation, the extended line will run through the cities of Minneapolis, St. Louis Park, Hopkins, Edina, Minnetonka, and Eden Prairie. Construction on this line began in 2018 and since then the project has experienced several setbacks.

After a request for a special review was submitted in July 2021 by Senator Dibble and Representative Hornstein, an [OLA memo](#) explained that due to limited resources their office is not able to conduct a full special review on the topic at this time. The memo summarizes the dispute between the Metropolitan Council and AECOM Technical Services (ATS), one of the contractors working on the project. This ongoing dispute had marred the project in uncertainty both in terms of cost and construction timeline. A settlement between the two parties was formally approved during Wednesday's Metropolitan Council meeting. That settlement establishes a new civil construction schedule and payment schedule for costs, resulting in the updated price tag and timeline for the line extension's opening. If passed, SF 2676/HF 3035 would provide the resources and direction needed for the OLA to carry out an investigation of the SWLRT project's management and in testimony Auditor Randall said their office has already begun preliminary work on the matter.

Metropolitan Council Chair Zelle was before the Senate Transportation Committee on Thursday to present the Council's supplemental budget request, but much of the discussion related to SWLRT, questions of accountability at the Council and TAB, and potential conflicts of interest between the

Council, Metro Transit, and suburban transit providers. SF 2676 was before the Senate State Government Committee on Wednesday and subsequently passed and referred to the Finance Committee. The House companion, HF 3035 was passed by the Transportation Committee and referred to the House State Government Committee. Both bills have had bipartisan support in the House and Senate.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Bills of Note

[HF 3328](#), Novotny/[SF 2944](#), Housley: Bill creates a database to track the sale of used catalytic converters and makes that database available to law enforcement.

[HF 3329](#), Novotny: Bill requires law enforcement agencies to report carjacking data to the commissioner of public safety and requires DPS to publish carjacking data.

[HF 3331](#), Novotny/[SF 2846](#), Chamberlain: Bill establishes a grant program to reimburse education expenses for peace officers.

[HF 3333](#), Mueller/[SF 2848](#), Housley: Bill appropriates money to promote importance of and recruit peace officers.

[HF 3334](#), Jurgens/[SF 3015](#), Eichorn: Bill appropriates \$5 million for grants to local law enforcement agencies to purchase body cameras. Priority must be given to agencies outside of the metropolitan area.

[HF 3335](#), Jurgens/[SF 3151](#), Newman: Bill establishes the crime of fleeing an officer in a motor vehicle and failing to obey traffic laws.

[HF 3336](#), Hornstein/[SF 3075](#), Dibble: Bill requires the MnDOT commissioner to assume responsibility for the SWLRT by March 2022.

[HF 3339](#), Huot/[SF 2987](#), Bigam: Bill extends the probationary period for municipal peace officers to two years and appropriates money for hiring bonuses.

[HF 3355](#), Scott/[SF 2841](#), Limmer: Bill requires county attorneys to record, report, and make publicly available the reason for dismissing charges.

[HF 3356](#), Johnson: Bill appropriates \$15 million for grants to local governments for body cameras. A 25 percent local match is required.

[HF 3358](#), Grossell/[SF 3223](#), Senjem: Bill establishes a program to award bonuses to peace officers for exemplary service.

[HF 3374](#), Raleigh/[SF 2843](#), Osmek: Bill enhances the criminal penalty for the theft of a vehicle when that vehicle is used to commit another crime.

[HF 3375](#), Nash/[SF 2844](#), Coleman: Bill increases the penalty for fleeing a peace officer in a motor vehicle.

[HF 3382](#), Mekeland: Bill modifies orderly annexation and detachment provisions, including the establishment of an annexation election.

[HF 3383](#), Mekeland/[SF 1927](#), Anderson: Bill prohibits annexation of a designated area by means other than those identified in an orderly annexation agreement.

[HF 3385](#), Grossell: Bill requires the legislature to ratify any new or revised rules made by the POST board.

[HF 3387](#), Demuth/[SF 2847](#), Jasinski: Bill provides funding for pathway to policing reimbursement grants.

[HF 3398](#), Hollins: Bill modifies the no-knock warrant process.

[HF 3406](#), Novotny/[SF 3150](#), Johnson: Bill requires electronic monitoring as a condition of pretrial releases for certain offenses.

[HF 3407](#), Novotny: Bill requires jury trials for certain criminal sentences.

[HF 3451](#), Igo/[SF 3073](#), Gazelka: Bill provides reimbursements to law enforcement agencies that have paid incentive bonuses to encourage individuals to become peace officers.

[HF 3467](#), Koznick: Bill requires the Metropolitan Council to terminate the Northstar commuter rail service.

[HF 3474](#), Torkelson/[SF 3123](#), Newman: Bill makes changes to the Corridors of Commerce project selection process.

[HF 3482](#), Novotny: Bill requires county attorneys to prosecute felony cases.

[HF 3505](#), Heinrich: Bill prohibits cities from accepting contributions from for-profit businesses or nonprofit organizations for election administration expenses.

[HF 3529](#), Wolgamott/[SF 3193](#), Bigham: Bill authorizes the exchange of mental health data among law enforcement mental health units, social services, and health care providers.

[HF 3533](#), O'Neill/[SF 2892](#), Duckworth: Bill appropriates \$5 million in grants to local law enforcement for body cameras.

[HF 3571](#), Kotyza-Witthuhn: Bill prohibits PFAS in juvenile products.

[SF 3086](#), Howe: Bill allocates the revenue collected via the tax on motor vehicle repair parts to the HUTD fund (76%), the small cities assistance account (12%), and the town road account (12%).

[SF 3148](#), Pratt/[HF 3219](#), Koegel: Bill adds two city engineers to the municipal state-aid screening board. The bill also makes changes to drone registration and insurance requirements.

[SF 3149](#), Johnson/[HF 3325](#), Novotny: Bill establishes the crime of carjacking.

[SF 3262](#), Dibble: Bill requires the Metropolitan Council to follow recommendations of third-party vendors performing cost analysis or price analysis for a project.

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Metro Cities (Association of Metropolitan Municipalities)
145 University Ave W, St. Paul, MN 55103-2044
Phone 651-215-4000 · Fax 651-281-1299 · www.MetroCitiesMN.org