

2023 Transportation & General Government Committee Members

Name	Title	Organization
Kristin Asher	Public Works Director	Richfield
Josh Berg	Councilmember	Elko New Market
Kissy Coakley	Councilmember	Minnetonka
Inderia Falana	Government Relations Representative	Minneapolis
Jesse Farrell	City Engineer	Oakdale
**Anne Finn	IGR Director	League of MN Cities
Thomas Fletcher	Councilmember	Greenwood
Gary Hansen	Councilmember	Eagan
**Alex Hassel	Intergovernmental Relations Representative	League of MN Cities
Sean Hayford Oleary	Councilmember	Richfield
Debra Heiser	Engineering Director	St. Louis Park
Steven Huser	Government Relations Representative	Minneapolis
**Craig Johnson	IGR Representative	League of MN Cities
Dan Kealey	Councilmember	Burnsville
Brad Larson	City Administrator	Savage
**Daniel Lightfoot	IGR Representative	League of MN Cities
Brent Mareck	City Manager	Carver
Amáda Márquez Simula	Mayor	Columbia Heights
Mary McComber	Mayor	Oak Park Heights
Hugo McPhee	Deputy City Manager	Burnsville
Justin Miller	City Administrator	Lakeville
Alyssa Nelson	Assistant City Manager	Victoria
Heidi Nelson	City Administrator	Maple Grove
Kari Niedfeldt-Thomas	Mayor	New Brighton
Loren Olson	Senior Government Relations Representative	Minneapolis
**Hannah Pallmeyer	Government Affairs Liaison	Metropolitan Council
Chelsea Petersen	Assistant City Administrator	Shakopee
Eric Petersen	IGR Director	St. Paul
Nick Peterson	City Engineer	St. Paul
Andy Reiff	Councilmember	Victoria
Dan Ruiz	Public Works Director	Brooklyn Park
Dave Shoger	Public Works Director	Victoria
*Michael Thompson	Public Works Director	Plymouth
Katie Topinka	IGR Director	Minneapolis
Patrick Trudgeon	City Manager	Roseville
Wally Wysopal	City Manager	Fridley
Nyle Zikmund	City Administrator	Mounds View

*Committee Chair

**Guest/Non-City Official

July 17, 2023

TO: Transportation & General Government Policy Committee Members
FROM: Michael Thompson, Public Works Director, City of Plymouth
SUBJECT: Meeting Notice and Agenda

Monday, July 24, 2023
9:00 am – 11:30 am
Hybrid Meeting: Lake
Superior Room/LMC Building
Or
Join Zoom Meeting

♦ Thank you for agreeing to be a policy committee member!

Attached are the materials for the first Transportation & General Government Policy Committee meeting. Please take the time to review the policies and come with your ideas and suggestions.

AGENDA

1. Call to order.
2. Introduction of Committee Chair and Members.
3. Policy Committee Process and Protocols (Patricia Nauman, Executive Director)
4. Policy Committee Memo Review (Michael Lund, Government Relations Specialist)
5. 2023 Legislative Session Review (Michael Lund, Government Relations Specialist)
6. Discussion of policies, suggestions, and ideas for new policies.
7. Discuss ideas for speakers and new issues for consideration.
8. Other business.
9. Adjourn. (11:30 a.m.)

Future Committee Meetings:

Monday, August 28, 2023

Monday, September 25, 2023

To: Metro Cities Policy Committee
From: Patricia Nauman, Executive Director
Re: Policy Development Process and Protocol

General

Each year, four legislative policy committees meet to recommend Metro Cities' legislative policies. Policies address a comprehensive range of issues of shared significance for metropolitan cities. Policies are then transmitted to the Metro Cities Board of Directors for adoption and forwarded to Metro Cities' membership for final adoption. Policies serve as the foundation for Metro Cities' work at the Legislature, Executive Branch and Metropolitan Council.

Purpose of Legislative Policies

Legislative policies reflect common needs, interests and goals of metropolitan municipalities and are adopted by consensus. General core principles that inform Metro Cities' policies are the need for sufficient local flexibility to address local public needs and services, opposition to state mandates that erode local control, and the need for a strong state and local partnership that recognizes the needs of metropolitan cities and the role they play in ensuring the state's economic and social well-being.

Speakers

Committees often host speakers to provide information on topics of pertinence to a committee and may be suggested by committee members and staff. All speakers must be approved by Metro Cities' Executive Director.

Committee Participation and Voting

Members. Elected or appointed officials and staff of any member city may serve on any committee by indicating interest in email or through the sign-up process provided in advance of the committee process each year.

Members are encouraged to contribute ideas, feedback, and questions during the committee process. All comments and questions should be addressed through the Chair.

City officials and staff may serve on one or more committees but for voting purposes, each city has one vote on policies. Votes are made by acclamation unless a roll call vote is requested.

Guests. Non-members are welcome to attend committees as guests. Non-member attendees may observe meetings and provide general observations but may not vote on policies or raise specific issues for the committee's consideration.

Committee Etiquette

Discussion, feedback, and questions are welcome and should be addressed through the committee chair. Meetings will be held in a hybrid format. Members participating remotely should use the chat or hand raise function to raise a question or comment. Remote participants are asked to name yourself and your city, and to identify yourself when speaking.

July 17, 2023

To: Metro Cities Transportation and General Government Policy Committee
From: Mike Lund, Government Relations Specialist
Re: July 24th Policy Committee Memo

Thank you in advance for your participation on the Transportation and General Government Policy Committee. We look forward to working with you. Interest has been expressed in several topics for this year, including transportation funding and policy outcomes from the 2023 legislative session, PFAS treatment and emerald ash borer funding, city roles in vehicle miles traveled (VMT) strategies, and how federal funds will be deployed in Minnesota.

The 2023 Legislative Session moved at an incredibly rapid pace and in the end the legislature passed all major budget bills before adjourning on May 22nd. The DFL party controlled the House, Senate, and Governor's office. The session began with a \$17 billion surplus and a lengthy list of priorities.

The omnibus transportation bill signed into law contains several new sources of revenue for state and local roads as well as increases to existing funding streams. Some of these include a new 0.75% metropolitan area sales tax and a 50-cent fee on retail deliveries. Appropriating funds to help the state match federal dollars was also a major priority for legislators. MSAS will see an approximately \$40 million increase in funding and for the first time, cities with populations under 5,000 will have dedicated funding for transportation.

The omnibus environment, natural resources, climate, and energy bill provided funding to help local governments increase resilience and efficiency of local infrastructure. A lot of attention was paid to PFAS and contaminants of emerging concern. Much of what was proposed this session in this area was done so using an environmental justice lens. A bonding bill and cash capital investment bill were both passed providing additional funding for state infrastructure programs and local projects.

The omnibus judiciary and public safety bill funds a variety of grant programs with a focus on youth intervention. The law also establishes the crime of carjacking in statute. Earlier in the session Chapter 15 was passed to curb widespread theft of catalytic converters. The omnibus state and local government, and elections bill repealed the local compensation cap and established an Infrastructure Resilience Advisory Task Force. The law also provides ongoing funding for local elections administration costs and establishes an 18-day early voting process.

The effort to legalize adult-use cannabis was one of the highest profile pieces of legislation this session. Chapter 63 establishes a regulatory framework for legal cannabis. The law includes zoning compliance requirements and population-based limits on retail locations as well as the creation of a local cannabis aid account which will share tax revenue with cities and counties.

Specific legislative updates will be provided next week at the committee's first meeting.

Transportation Policies and Funding Introduction

Metro Cities supports a comprehensive transportation system as a vital component in planning for and meeting the physical, social, and economic needs of the state and metropolitan region.

A comprehensive transportation system includes streets and bridges, transit, and multi-modal solutions that work cohesively to best meet state, regional and local transportation needs.

Adequate and stable sources of funding are necessary to ensure the development and maintenance of a high quality, efficient and safe transportation system that meets these needs and that will position the state and region to be economically competitive in the years ahead. Failure to maintain a functional transportation system will have adverse effects on the state's ability to attract and retain businesses and create jobs.

Transportation funding and planning must be a high priority for state, regional and local policymakers so that the transportation system can meet the needs of the state's residents and businesses as well as projected population growth. Funding and planning for regional and statewide systems must be coordinated at the federal, state, regional and local levels to optimally achieve long-term needs and goals.

5-A Road and Bridge Funding

Under current financing structures that rely primarily on local property taxes and fees as well as the motor vehicle sales tax (MVST) receipts, road and bridge needs in the metropolitan region continue to be underfunded. **Metro Cities strongly supports stable, sufficient, and sustainable statewide transportation funding and expanded local tools to meet the transportation system needs of the region and local municipal systems.** Consideration should be given to using new, expanded, and existing resources to meet these needs. **Metro Cities supports the use of dedicated taxes and fees to fund transportation infrastructure.**

In addition, cities lack adequate tools and resources for the maintenance and improvement of municipal street systems, with resources restricted to property taxes and special assessments. It is imperative that alternative revenue generating authority be granted to municipalities and that state resources be made available for this purpose to aid local communities and relieve the burden on the property tax system. **Metro Cities supports Municipal State Aid Street (MSAS) funding.** MSAS provides an important but limited revenue source that assists eligible cities with street infrastructure needs and is limited to twenty percent of a city's street system.

Metro Cities supports state funding to assist cities over-burdened by cost participation responsibilities from improvement projects on the state's arterial system and county state aid highway (CSAH) systems.

Metro Cities supports state funding for state highway projects, including congestion, bottleneck and safety improvements. Metro Cities also supports state financial assistance, as well as innovations in design and construction, to offset the impacts of regional transportation construction projects on businesses.

Metro Cities opposes statutory changes restricting the use of local funds for transportation projects. Metro Cities opposes restrictions on aesthetic related components of transportation projects, as these components often provide important safety and other benefits to projects.

Metro Cities supports further research into the policy implications for electric and automated vehicles on roadways, transit, and other components of transportation systems. Metro Cities encourages the state to study the impact of electric and automated vehicles on transportation related funding and policies.

Legislative Update

HF 2887/SF 3157 (Chapter 68) raises new revenue for transportation in several ways. Adjustments to the tab fee depreciation schedule will result in an additional \$60 million flowing into the Highway User Tax Distribution Fund (HUTDF). Municipal State Aid Streets (MSAS) receives 9% of 95% of the HUTDF so this change alone will result in an additional \$5.1 million for eligible city streets. The Motor Vehicle Sales Tax rate is being increased to 6.875% which will result in increased deposits into the HUTDF, MSAS, and both greater Minnesota transit and transit in the metropolitan area. One of the late surprises of the session was the inclusion of language that indexes the motor fuel tax to the Minnesota Highway Construction Cost Index. These revenues are directed to the HUTDF with MSAS expected to see increases of \$3.6 million in FY 2024 and \$11.7 million by FY 2027.

Chapter 68 contains a phased dedication of the revenue from the sales tax on auto parts with revenues being allocated to a newly established Transportation Advancement Account (TAA). Deposits into the TAA from auto parts sales tax revenue will begin around \$11 million and grow to \$26 million by FY 2027. A 50-cent retail delivery fee created in the law directs additional funding into the TAA. The delivery fee, which contains several exemptions, is expected to generate \$59 million in FY 2025. The Transportation Advancement Account is distributed as follows: 36% to metropolitan counties, 10% to the CSAH system, 15% to a newly established Larger Cities Assistance Account, 27% to the Small Cities Assistance Account, 11% to the Town Road Account, and 1% to a food delivery support account.

The total appropriation for municipal state aid streets is \$488.108 million, an increase of about \$40 million when compared to the previous biennium.

The law imposes a 0.75% sales tax for transportation funding within the seven-county metropolitan area, with a focus on transit. The seven metropolitan area counties will receive 17% of the revenue from this tax. Funds for the counties coming via the TAA and the metropolitan area sales tax will be distributed based on a 50/50 breakdown of their population and transportation needs. Counties are required to use 41.5% of their funds from the account for active transportation and transportation safety studies. Another 41.5% must be used for repair, preservation, and rehabilitation of transportation systems (without adding capacity). The remaining 17% must be used for transit, complete streets, or purposes that meet requirements in the bill for greenhouse gas mitigation.

Chapter 68 includes a \$152.6 million transfer from the general fund to the Trunk Highway Fund for IJA matches, \$216.4 million for matching federal discretionary grants, \$13.6 million for matching electric vehicle funds, \$36 million for matching aeronautics funding, and \$40 million for transit and active transportation grants. There is also \$2 million for MnDOT to provide technical assistance to local and Tribal governments applying for grant opportunities. Early in the legislative session, Chapter

6 appropriated \$315.5 million that MnDOT needed for the department to continue to match formula funds flowing to the state because of the IJA's passage.

Chapter 68 provides base funding for Corridors of Commerce of \$25 million per year with an additional \$153 million in one-time money for the program via Trunk Highway Bond authorizations. Also included is \$20 million for the Safe Routes to School Program, and \$39 million over two years for the Active Transportation Program. The Local Bridge Replacement and Rehabilitation program and Local Road Improvement Program are each funded at \$18 million in FY 2024 in the omnibus Transportation bill.

Chapter 68 includes \$200 million for state road construction.

Chapter 68 requires MnDOT and Minnesota Management and Budget to submit a report to the legislature analyzing ways to address the projected funding gap between HUTDF revenues and the needs each of the HUTDF-funded highway systems.

HF 669/SF 676 (Chapter 72), the bonding bill, includes \$12 million in general obligation bond proceeds for the Local Road Wetlands Replacement Program, \$78.94 million for the Local Road Improvement Program, \$67 million for the Local Bridge Replacement Program, \$2.4 million for the Safe Routes to School Program, \$1.5 million for Transportation Economic Development Infrastructure, and \$1.2 million for Active Transportation.

5-B Regional Transit System

The Twin Cities Metropolitan Area needs a multi-modal regional transit system as part of a comprehensive transportation strategy that serves all users, including commuters and the transit dependent. The transit system should be composed of a mix of high occupancy vehicle (HOV) lanes, high occupancy toll (HOT) lanes, a network of bike and pedestrian trails, bus rapid transit, express and regular route bus service, exclusive transit ways, light rail transit, streetcars, and commuter rail corridors designed to connect residential, employment, retail, and entertainment centers. **The system should be regularly monitored and adjusted to ensure that routes of service correspond to current and forecasted changes in the region's transit service needs and priorities. Metro Cities supports strategic expansion of the regional transit system.**

Current congestion levels and forecasted population growth require a stable, reliable, and growing source of revenue for transit construction and operations so that our metropolitan region can meet its transportation needs to remain economically competitive. **Metro Cities supports an effective, efficient, and comprehensive regional transit system as an invaluable component in meeting the multimodal transportation needs of the metropolitan region and to the region's economic vibrancy and quality of life.**

Metro Cities recognizes that transit service connects residents to jobs, schools, health care, and activity centers. Transit access and service frequency levels should recognize the role of public transit in addressing equity, including but not limited to racial and economic disparities, people with disabilities and the elderly. **Metro Cities supports efforts to transition the fleets of transit providers in the metropolitan region to low or zero emission buses and supports using equity and environmental**

criteria identified in transit providers' zero emission bus transition plans to prioritize the deployment of zero or low-emission buses.

Metro Cities supports a regional governance structure that ensures a measurably reliable and efficient system, recognizes the diverse transit needs of our region and addresses funding needs for all components of the system. These structures must work with and be responsive to the needs of the communities they serve.

Metro Cities supports an open and collaborative regional transportation planning process that fully engages all public transit providers as partners in ongoing policy development to achieve desired outcomes, including establishment of transit project criteria that promote fair and equitable selection of projects throughout the region and transparent regional distribution of available funding.

Metro Cities recognizes the need for flexibility in transit systems for cities that border the edges of the seven-county metropolitan area to ensure users can get to destinations outside of the seven-county area. Metro Cities encourages the Metropolitan Council to coordinate with collar counties so that riders can get to and from destinations beyond the boundaries of the region.

Metro Cities opposes statutory changes restricting the use of local funds for planning or construction of transit projects. Restricting local planning and funding limits the ability of cities to participate in transit corridor planning and development. State and regional policymakers must coordinate with local units of government as decisions are made at the state level on transit projects that also involve municipal planning, funding, and policy decisions.

Metro Cities is opposed to legislative or Metropolitan Council directives that constrain the ability of metropolitan transit providers to provide a full range of transit services, including reverse commute routes, suburb-to-suburb routes, transit hub feeder services or new, experimental services that may show a low rate of operating cost recovery from the fare box.

In the interest of including all potential options in the pursuit of a regionally balanced transit system, Metro Cities supports the repeal of the gag order on the Dan Patch Commuter Rail Line and opposes the imposition of legislative moratoriums on the study, planning, design, or construction of specific transit projects.

In the interest of safety and traffic management, Metro Cities supports further study of rail safety issues relating to water quality protections, public safety concerns relating to derailments, traffic implications from longer and more frequent trains and the sensitive balance between rail commerce and the quality-of-life impacts on the communities through which they pass.

The COVID-19 crisis has had dramatic effects on public transit service, including changing business practices that are likely to substantially reduce transit demand for the foreseeable future. Adverse economic effects threaten revenues available to fund transit operations. Suburban transit providers are concerned that funding challenges may be used to attempt to justify a repeal of their authorizing legislation and to consolidate transit services into a single regional entity. This would result in reverting to conditions existing nearly 40 years ago when inadequate service caused twelve suburbs to elect not to be part of the traditional transit system.

Metro Cities strongly supports the autonomy of suburban transit providers to conduct operations to meet demonstrated and unique needs in their designated service areas independent from the operations of other regional transit providers.

Legislative Update

HF 2887/SF 3157 (Chapter 68) requires MnDOT to provide technical assistance to local units of government in local planning and development of bikeways, establishing connections to state bicycle routes, and implementing statewide bicycle plans.

One of the identified uses of the revenue from the new 0.75% metropolitan area sales tax by the Metropolitan Council is zero-emission bus procurement. The law states that these purchases must be in conformance with the zero-emission and electric transit vehicle transition plan developed by the Council.

The Transit Rider Investment Program (TRIP), established in Chapter 68, is an attempt at cultivating a safer and more secure transit experience for riders and employees. The Metropolitan Council is directed to hire personnel, adopt a code of conduct, work with social service agencies and law enforcement, and submit an annual report to the legislature about the program and its impact on safety and rider experiences. As part of this law, the Metropolitan Council has been authorized to issue administrative citations for fare evasions. A separate initiative, the Transit Service Intervention Project is established to provide coordinated, high-visibility interventions on light rail transit lines that provide for enhanced social services outreach and engagement, code of conduct regulation, and law enforcement. This program is funded with \$2 million and is set to expire June 30, 2024.

Elsewhere in the law, the Council is directed to convene a transit signal priority system planning working group, to implement a Metro Mobility Enhancement pilot program, and to establish a transit fare elimination pilot program.

Chapter 68 includes language directing MnDOT to provide staff assistance to the Metropolitan Council for the various aspects of light rail project planning, project management, and any other areas of expertise that the department may offer.

Chapter 68 requires the Metropolitan Council to hold quarterly community engagement meetings with community groups along the Blue Line extension alignment route. This language requires representatives from the cities of Minneapolis, Robbinsdale, Crystal, and Brooklyn Park to attend meetings that occur in their respective cities and attend all meetings relating to antidisplacement initiatives. Additional policy language in Chapter 68 directs project stakeholders to evaluate a potential route change and stipulates that all cities along the corridor must have the opportunity to present their concerns and proposals to the Blue Line project's Corridor Management Committee for consideration.

Laws 2002, Chapter 393, Section 85 (the Dan Patch Commuter Rail Line gag order) was repealed.

Chapter 68 extends the deadline for the Metropolitan Council's study on post-covid pandemic public transportation to October 1, 2024 and requires the Council to use existing resources to complete the study.

5-C Transit Financing

Shifting demographics in the metropolitan region will mean increased demand for various modes of transit in areas with and without current transit service. MVST revenue projections are unpredictable, and the Legislature has repeatedly reduced general fund support for Metro Transit, which contributes to persistent operating deficits for regional transit providers.

Operating subsidies necessary to support a regional system should come from regional and statewide funding sources and not local taxpayers. In recent years, state and regional resources for transit have diminished, with costs shifting to local taxpayers in the metropolitan area. A system of transit provides significant economic benefits to the state and metropolitan region and must be supported with state and regional revenue sources. In addition, capital costs for the expansion of the regional transit system should be supported through state and regional sources, and not the sole responsibility of local units of government.

Metro Cities supports stable and predictable state and regional revenue sources to fund operating and capital expenses for all regional transit providers and Metro Mobility at a level sufficient to meet the growing operational and capital transit needs of the region and to expand the system to areas that lack sufficient transit service options.

Metro Cities continues to support an advisory role for municipal officials in decisions associated with local transit projects. Metro Cities supports the early engagement of local governments in transit project planning and development including project scoping, cost estimating, funding requests and coordination with overlapping initiatives to achieve successful corridor-based projects.

Legislative Update

HF 2887/SF 3157 (Chapter 68) imposes a 0.75% sales tax for transportation funding within the seven-county metropolitan area. 83% of the revenue is directed to the Metropolitan Council. 5% of that amount is set aside for active transportation uses which will be spent by the Transportation Advisory Board (TAB). The remainder of the Metropolitan Council's portion will be spent on transit operations, maintenance, and capital expenses. The bill outlines several eligible uses and directs the Metropolitan Council to make grants to suburban providers for demand response micro transit projects. The Council is prohibited from using sales tax revenue to pay for the SWLRT project until the Metropolitan Governance Task Force concludes its work in 2024. The 17% of the sales tax revenue not directed to the Metropolitan Council goes to the seven metropolitan-area counties in the region via the Transportation Advancement Account.

The Metropolitan Council is expected to receive \$300.3 million in FY 2024 and \$465.5 million in FY 2025 from the regional sales tax.

The distribution of Motor Vehicle Sales Tax (MVST) revenue was changed so that 60% is directed to the Highway User Tax Distribution Fund (HUTDF), 34.3% is directed to the metropolitan transit assistance account, and 5.7% is directed to the greater Minnesota transit assistance account. This change is largely intended to increase funding for greater Minnesota transit. Because of the MVST rate increase, metropolitan area transit still received a small increase in MVST revenue (approximately \$1 million in additional annual funding).

Chapter 68 fully funds Metro Mobility at \$55.976 million in each year of the biennium. The Metropolitan Council is receiving their base funding for transit operations in FY 2024 and FY 2025 plus \$50 million for a

Hennepin County grant for the Blue Line Extension project and \$3 million for highway bus rapid transit development in the Highway 169 and Highway 55 corridors.

Chapter 68 gives the Metropolitan Council authorization to issue bonds up to \$51.5 million in 2023 and \$53.045 million in 2024. The Council uses these regional transit capital bonds to finance fleet replacement as well as small capital projects.

HF 669/SF 676 (Chapter 72), the bonding bill, includes \$72 million for arterial bus rapid transit.

Chapter 68 requires the Metropolitan Council to operate all light rail facilities and services located in the metropolitan area (previous language in statute was permissive). The law also requires the Council to pay all remaining transit guideway and busway operating costs (after operating revenue, federal funds, and state funds), with sales tax revenue. The Council is further required to pay all ongoing guideway and busway capital maintenance costs using federal funds, sales tax revenue, and bond proceeds.

5-D Street Improvement Districts

Funding sources for local transportation projects are limited to the use of Municipal State Aid Street Program (MSAS), property taxes and special assessments. In addition, cities under 5,000 in population are not eligible for MSA. With increasing pressures on city budgets and limited tools and resources, cities are finding it increasingly difficult to maintain aging streets.

Street improvement districts allow cities in developed and developing areas to fund new construction as well as reconstruction and maintenance efforts.

The street improvement district is designed to allow cities, through a fair and objective fee structure, to create a district or districts within the city in which fees are raised on properties in the district and spent within the boundaries of the district. Street improvement districts would also aid cities under 5,000 with an alternative to the property tax system and special assessments.

Metro Cities supports the authority of local units of government to establish street improvement districts. Metro Cities also supports changes to special assessment laws to make assessing state-owned property a more predictable process with uniformity in the payment of assessments across the state.

Legislative Update

HF 1183/SF 1627 would have authorized cities to establish street improvement districts. The bill was scheduled for a hearing in the House Transportation Committee but was pulled from the agenda.

5-E Highway and Bridge Turn Backs & Funding

Cities do not have the financial capacity and in many cities the technical expertise other than through significant property tax increases, to absorb additional roadway or bridge infrastructure responsibilities without new funding sources. The existing municipal turnback fund is not adequate based on contemplated turn backs.

Metro Cities supports jurisdictional reassignment or turnback of roads (Minn. Stat. § 161.16, subd. 4) on a phased basis using functional classifications and other appropriate criteria subject to a corresponding mechanism for adequate funding of roadway improvements and continued maintenance.

Metro Cities does not support a wholesale turnback of county or state roads or bridges without the consent of the municipality and the total cost, agreed to by the municipality, being reimbursed to the city in a timely manner. The process for establishing state policies to assign a shared cost participation for newly constructed or rebuilt bridges over trunk highways to local officials, must include input by the local municipalities affected, and any assigned shared costs and responsibilities must be agreed to by the municipalities.

Legislative Update

No applicable legislative updates.

5-F “3C” Transportation Planning Process: Elected Officials’ Role

The Transportation Advisory Board (TAB) was developed to meet federal requirements, designating the Metropolitan Council as the organization that is responsible for a continuous, comprehensive, and cooperative (3C) transportation planning process to allocate federal funds among metropolitan area projects. Input by local officials into the planning and prioritization of transportation investments in the region is a vital component of these processes.

Metro Cities supports continuation of the TAB with a majority of locally elected municipal officials as members and participating in the process.

Legislative Update

No applicable legislative updates.

5-G Electronic Imaging for Enforcement of Traffic Laws

Enforcement of traffic laws with cameras and other motion imaging technology has been demonstrated to improve driver compliance and safety.

Metro Cities supports cities having the authority to use such technology, including photos and videos, to enforce traffic laws.

Legislative Update

HF 2887/SF 3157 (Chapter 68) includes language directing the Department of Public Safety to submit a report to the legislature by November 1, 2024 regarding the use of speed safety cameras. The report must identify a process and set of policies for the use of speed safety camera systems. This includes a process by which the owner or lessee of a motor vehicle is mailed a citation when that vehicle is detected by a speed safety camera in violation of the speed limit. DPS is required to convene a task force to facilitate their study of speed safety cameras. The report must consider federal compliance and

commercial driver's license issues, the authority of individuals who are not peace officers to issue citations, data practices and due process concerns, and technology requirements. The report must also include any recommendations for the legislature and information on implementation costs.

5-H Transportation Network Companies and Alternative Transportation Modes

The introduction of transportation network companies (TNC) such as Lyft and Uber, vehicle sharing and other wheeled transportation modes such as bicycles and scooters, require the need for local officials to determine licensing and inspection requirements for these modes, and to address issues concerning management over public rights-of-way. Cities have the authority to license rideshare companies, inspect vehicles, license drivers, and regulate access to sidewalks and streets. The use of autonomous delivery robots and aerial drones in public rights-of-way is also becoming more prevalent and cities must maintain and enhance the authority necessary to regulate the use of these vehicles to ensure safe use of the public right of way.

Metro Cities supports the authority of local officials to regulate and establish fees on these transportation modes. Emerging and future transportation technologies have potentially significant implications for local public safety and local public service levels, the needs and impacts of which vary by community.

Legislative Update

HF 2887/SF 3157 (Chapter 68) defines "micromobility facility" and "shared electric vehicle facility" and gives cities the authority to have advertisements, public art, and informational signs on these facilities.

HF 2396/SF 2319 (Chapter 65) was passed by the legislature but vetoed by Governor Walz. This legislation would have provided some protections for drivers working for TNCs. The bill would have set minimum pay rates for individuals driving for companies like Uber and Lyft with additional provisions allocating portions of certain fees charged by TNC's to drivers. The bill also contained policy language describing under what circumstances drivers could be deactivated from a TNC's platform.

Along with his veto, Governor Walz issued Executive Order 23-07, which directs the Dept. of Labor and Industry (DLI) to study TNC driver working conditions and any potential impacts of legislation on access to these services or the cost to users. Cities have one seat on the Governor's Committee on the Compensation, Wellbeing and Fair Treatment of Transportation Network Company Drivers, which will be responsible for studying this issue and drafting recommendations.

5-I Airport Noise Mitigation

Communities closest to MSP and reliever airports are significantly impacted by noise, traffic, and other numerous expansion-related issues.

Metro Cities supports the broad goal of providing MSP-impacted communities greater representation on the Metropolitan Airports Commission (MAC). Metro Cities encourages continued communication between MAC commissioners and the cities they represent. Balancing the needs of the MAC, the

business community, and the airport host cities and their residents requires open communication, planning and coordination. Cities must be viewed as partners with the MAC in resolving differences that arise out of airport projects and the development of adjacent parcels. Regular contact between the MAC and cities throughout a project proposal process will enhance communication and problem solving. The MAC should provide full funding for noise mitigation for all structures in communities impacted by flights in and out of MSP.

Metro Cities supports noise abatement programs and expenditures and the work of the Noise Oversight Committee to minimize the impacts of MAC operated facilities on neighboring communities.

The MAC should determine the design and geographic reach of these programs only after a thorough public input process that considers the priorities and concerns of impacted cities and their residents. The MAC should provide full funding for noise mitigation for all structures in communities impacted by flights in and out of MSP.

Legislative Update

No applicable legislative updates.

5-J Funding for Non-Municipal State Aid (MSAS) City Streets

Cities under 5,000 in population do not directly receive non-property tax funds for collector and arterial streets. Cities over 5,000 residents have limited eligibility for dedicated Highway User Tax Distribution Fund dollars, which are capped by the state constitution as being available for up to twenty percent of streets. Current County State Aid Highway (CSAH) distributions to metropolitan counties are inadequate to provide for the needs of smaller cities in the metropolitan area. Possible funding sources include the five-percent set-aside account in the Highway User Tax Distribution Fund, modification to county municipal accounts, street improvement districts, and/or state general funds.

The 2015 Legislature created a Small Cities Assistance Account that is distributed through a formula to cities with populations under 5,000. The Account has received periodic one-time appropriations, but no stable or dedicated source of funding.

Cities need long-term, stable, funding for street improvements and maintenance. **Metro Cities supports additional resources and flexible policies to meet local infrastructure needs and increased demands on city streets. Metro Cities also supports sustainable state funding sources for non-MSAS city streets, including funding for the Small Cities Assistance Account as well as support for the creation and funding of a Large Cities Assistance Account.**

Legislative Update

HF 2887/SF 3157 (Chapter 68) includes ongoing funding for Small Cities (under 5,000 in population). The Small Cities Assistance Account will receive 27% of the newly established Transportation Advancement Account (TAA). Revenue from the \$0.50 retail delivery fee and the phased dedication of the sales tax on auto parts will be deposited into the TAA.

Chapter 68 also establishes a Larger Cities Assistance Account, for MSAS-eligible cities to spend on transportation needs outside of their MSA system. Large Cities will receive 15% of the funds in the

Transportation Advancement Account. These funds will be distributed to eligible cities using the same criteria as MSAS.

5-K County State Aid Highway (CSAH) Distribution Formula

Significant resource needs remain in the metro area CSAH system. Revenues provided by the Legislature for the CSAH system have resulted in a higher number of projects being completed. However, greater pressure is being placed on municipalities to participate in cost sharing activities, encumbering an already over-burdened local funding system. When the alternative is not building or maintaining roads, cities bear not only the costs of their local systems but also as much as fifty percent of county road projects. **Metro Cities supports special or additional funding for cities that have burdens of additional cost participation in projects involving county roads.**

CSAH eligible roads were designated by county engineers in 1956 and although only 10 percent of the CSAH roads are in the metro area, they account for nearly 50 percent of the vehicle miles traveled. The CSAH formula passed by the Legislature in 2008 increased the amount of CSAH funding for the metropolitan area from 18 percent in 2007 to 21 percent in 2011. The formula helps to better account for needs in the metropolitan region but is only the first step in addressing needs for additional resources for the region.

Metro Cities supports a new CSAH formula more equitably designed to fund the needs of our metropolitan region.

Legislative Update

The new revenue sources contained in HF 2887/SF 3157 (Chapter 68) will contribute an estimated \$162 million in additional funding for the County State Aid Highway fund in FY 2024-2025 and over \$321 million in new funding the following biennium. There were no changes to the CSAH formula.

5-L Municipal Input/Consent for Trunk Highways and County Roads

State statutes direct the Minnesota Department of Transportation (MnDOT) to submit detailed plans, with city cost estimates, at a point one-and-a-half to two years prior to bid letting, at which time public hearings are held for community input. If MnDOT does not concur with requested changes, it may appeal. Currently, that process would take a maximum of three and a half months and the results of the appeals board are binding on both the city and MnDOT.

Metro Cities supports the municipal consent process and opposes changes to weaken municipal consent or adding another level of government to the consent process. Metro Cities opposes changes to current statutes that would allow MnDOT to disregard the appeals board ruling for state trunk highways. Such a change would significantly minimize MnDOT's need to negotiate in good faith with cities for appropriate project access and alignment and would render the public hearing and appeals process meaningless. **Metro Cities also opposes the elimination of the county road municipal consent and appeal process for these reasons.**

Legislative Update

No applicable legislative updates.

5-M Plat Authority

Current law grants counties review and comment authority for access and drainage issues for city plats abutting county roads.

Metro Cities opposes any statutory change that would grant counties veto power or that would shorten the 120-day review and permit process time.

Legislative Update

No applicable legislative updates.

5-N MnDOT Maintenance Budget

The state has failed in its responsibility for maintaining major roads throughout the state by requiring, through omission, that cities bear the burden of maintaining major state roads.

MnDOT should be required to meet standards adopted by cities through local ordinances, or reimburse cities for labor, equipment and material used on the state's behalf to improve public safety or meet local standards. Furthermore, if a city performs maintenance, the city should be fully reimbursed.

Metro Cities supports MnDOT taking full responsibility for maintaining state-owned infrastructure and property, including, but not limited to, sound walls and right of way within city limits. Metro Cities supports cooperative agreements between cities and MnDOT, which have proven to be effective in other parts of the state. Metro Cities supports adequate state funding for the maintenance of state rights-of-way.

Legislative Update

No applicable legislative updates.

5-O Transit Taxing District

The transit taxing district, which funds the capital cost of transit service in the Metropolitan Area through the property tax system, is inequitable. Because the boundaries of the transit taxing district do not correspond with any rational service line nor is being within the boundaries a guarantee to receive service, cities within and outside of the taxing district are contributing unequally to the transit service in the Metropolitan Area. This inequity should be corrected.

Metro Cities supports a stable revenue source to fund both the capital and operating costs for transit at the Metropolitan Council. However, Metro Cities does not support the expansion of the transit

taxing district without a corresponding increase in service and an overall increase in operational funds. To do so would create additional property taxes without a corresponding benefit.

Legislative Update

There were no legislative changes to the Transit Taxing District this session. HF 2887/SF 3157 (Chapter 68) imposes a 0.75% sales and use tax in the entire seven-county metropolitan area to provide a stable revenue source for the transit in the metropolitan area. The Metropolitan Council is allocated 83% of the revenue and the remaining 17% is allocated to the seven counties in the region. The overarching purpose for the Council's share of the revenue is to fund transit operations, maintenance, and capital projects.

5-P Complete Streets

A complete street may include sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible public transportation stops, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes and more.

A complete street in a rural area will differ from a complete street in a highly urban area, but both are designed to balance safety and convenience for everyone using the road.

Metro Cities supports options in state design guidelines for complete streets that would give cities greater flexibility to:

- Safely accommodate all modes of travel;
- Lower traveling speeds on local streets;
- Address city infrastructure needs; and
- Ensure livability in the appropriate context for each city.

Metro Cities opposes state-imposed mandates that would increase street infrastructure improvement costs in locations and instances where providing access for alternative modes including cycling and walking are deemed unnecessary or inappropriate as determined by local jurisdictions.

Legislative Update

No applicable legislative updates.

General Government

2-A Mandates, Zoning & Local Authority

To serve their local citizens and communities, city officials must have sufficient local control and decision-making authority. **Metro Cities supports local decision-making authority and opposes statutory changes that erode local authority and decision making.**

Minn. Stat. § 462.357, subd. 1, provide cities authority to regulate and set local ordinances for zoning. Metro Cities supports existing state laws that provide for this authority.

Metro Cities supports statutory changes that give local officials greater authority to approve or deny variances to allow flexibility in responding to the needs of the community. Metro Cities also supports the removal of statutory barriers to uniform zoning ordinance amendment processes for all cities, regardless of city size classification.

Metro Cities opposes the imposition of legislative mandates that increase local costs without a corresponding state appropriation or funding mechanism. Unfunded mandates potentially increase property taxes and impede cities' ability to fund traditional service needs.

To allow for greater collaboration and flexibility in providing local services, Metro Cities encourages the removal of barriers to coordination between cities and other units of government or entities.

Legislative Update

HF 100/SF 73 (Chapter 63), the bill to legalize adult-use cannabis, includes several local control provisions of note. The law does not include local licensing or the ability for cities to opt-out of retail cannabis sales. Chapter 63 does include a local registration process for cannabis business license holders where local governments are authorized to charge a registration and renewal fee. Cities are authorized to establish, own, and operate a municipal cannabis store. Chapter 63 directs the responsible local government to conduct compliance checks and cities are authorized to conduct preliminary compliance checks before a business is registered.

The law permits local units of government to establish reasonable restrictions on the time, place, and manner of cannabis business operations and includes a zoning compliance requirement for businesses where a local jurisdiction certifies that a business' plans are in line with local requirements. The Office of Cannabis Management is directed to work with local governments to create model ordinances.

The law also includes an optional, population-based limit on the number of retail locations in each city or county. Cities can restrict the number of cannabis retailers to no fewer than one registration for every 12,500 residents. If a county has at least one registration for every 12,500 residents, cities within that county are not obligated to register a cannabis retailer.

A Local Cannabis Aid Account is established to provide aid to cities and counties. The account will receive 20% of revenue from a 10% gross receipts tax on cannabis products. Half of the aid will go to counties and half will go to cities based on the number of businesses. Local governments are prohibited from imposing a local sales tax solely on cannabis projects.

HF 1830/SF 1426 (Chapter 62), the omnibus state government finance bill includes language that requires all statutory or home rule charter cities to allow landowners to install and maintain managed natural landscapes. The law includes a definition of managed natural landscape and explicitly excludes noxious weeds and overgrown turf-grass lawns from what is allowable under this new regulation.

HF 2235 – Elkins would preempt cities’ long-standing authority to plan and stage development. The bill proposed minimum density requirements, limiting the use of planned unit developments (PUDs), and permitted two-family property and accessory dwelling units as a permitted use in all areas zoned for single-family residential use. The bill also set limitations on aesthetic mandates and does not allow for a minimum square footage to be set by a municipality. The bill would have capped park dedication fees to 10% of their fair market value in a new subdivision and required land dedication for streets to be no larger than 32 feet. Zoning preemption amendments were offered on the House and Senate floors on omnibus housing bills. Amendments were voted down or withdrawn, but with the understanding that these concepts would be heard during the next session. The companion bill to HF 2235 was not heard in the Senate.

2-B City Enterprise Activities

Creation of an enterprise operation allows a city to provide a desired service while maintaining financial and management control. The state should refrain from infringing on this ability to provide and manage services for the benefit of a local community and residents.

Metro Cities supports cities having authority to establish city enterprise operations in response to community needs, local preferences, or state mandates, or that help ensure residents’ quality of life.

Legislative Update

HF 100/SF 73 (Chapter 63) authorizes cities and counties to establish, own, and operate a municipal cannabis store (requirements for a minimum number of licenses still apply). Chapter 63 also permits exclusive liquor stores to sell lower-potency hemp edibles and beverages as well as products that detect the presence of fentanyl.

2-C Firearms on City Property

Cities should be allowed to prohibit handguns and other weapons in city-owned buildings, facilities, and parks and to determine whether to allow permit-holders to bring guns into municipal buildings, liquor stores, city council chambers and city sponsored youth activities. It is not Metro Cities’ intention for cities to have the authority to prohibit legal weapons in parking lots, on city streets, city sidewalks or on locally approved hunting land.

Metro Cities supports local control to allow or prohibit handguns and other weapons on city-owned property.

Legislative Update

No applicable legislative update.

2-D 911 Telephone Tax

Public safety answering points (PSAPs) must be able to continue to rely on state 911 revenues to pay for upgrades and modifications to local 911 systems, maintenance and operational support, and dispatcher training.

Metro Cities supports state funding for technology and training necessary to provide the number and location of wireless and voice over internet protocol (VoIP) calls to 911 on computer screens and transmit that data to police, fire and first responders.

Legislative Update

HF 2890/SF 2909 (Chapter 52) includes \$56 million for the 2024-2025 biennium for public safety answering points (PSAPs). Chapter 52 also includes \$7 million to help PSAPs to transition to Next Generation 911. These funds may be used for planning, cybersecurity, GIS data collection and maintenance, 911 call processing equipment, and new PSAP technology to improve service delivery.

Chapter 52 includes \$2 million for the 2024-2025 biennium for the Statewide Emergency Communications Board for operating costs, to provide competitive grants to local governments, and to work towards meeting goals in the SECB Statewide Communication Interoperability Plan.

2-E 800 MHz Radio System

Metro Cities urges the Legislature to provide cities with the financial means to obtain required infrastructure and subscriber equipment (portable and mobile radios) as well as provide funding for operating costs, since the prime purpose of this system is to allow public safety agencies and other units of government the ability to communicate effectively.

Metro Cities supports the work of the Metropolitan Emergency Services Board (previously the Metropolitan Radio Board) in implementing and maintaining the 800 MHz radio system so long as cities are not forced to modify their current systems or become a part of the 800 MHz Radio System unless they so choose.

Legislative Update

HF 2890/SF 2909 (Chapter 52) includes \$2 million in FY 2024 and \$2 million in FY 2025 for grants to local units of government, Tribal entities, and state agencies participating in the statewide Allied Radio Matrix for Emergency Response (ARMER) public safety radio communication system. Grants must be used to purchase or upgrade portable radios, mobile radios, and related equipment. These grants require a 5 percent local match. Chapter 52 also includes \$20 million for MnDOT for costs associated with maintaining and operating the statewide radio system backbone.

2-F Building Codes

Thousands of new housing units as well as commercial and industrial buildings are constructed annually in the metropolitan area. The State Building Code (SBC) sets statewide standards for the construction,

reconstruction, alteration, and repair of buildings and other structures governed by the code. A building code provides many benefits, including uniformity of construction standards in the building industry, consistency in code interpretation and enforcement, and life- safety guidance.

Metro Cities supports an equitable distribution of fees from the Construction Code Fund, with proportional distribution based on the area of enforcement where fees were received. Metro Cities further supports efforts by the state, cities, and builders to collectively identify appropriate uses for the fund, including education, analysis of new materials and construction techniques, building code updating, building inspector training, and development of performance standards and identification of construction “best practices.”

Metro Cities supports including the International Green Construction Code as an optional appendix to the State Building Code to allow cities to utilize appropriate parts of those guidelines in their communities. Metro Cities also supports adopting the international energy conservation code to the state building code without amendments. Metro Cities does not support legislative solutions that fail to recognize the interrelationships among builders, state building codes and cities.

Metro Cities supports efforts to increase awareness of the potential impacts and benefits of requiring sprinklers in new homes and townhouses. Metro Cities supports discussion and the dissemination of information on these impacts via the code adoption process through the Department of Labor and Industry. Metro Cities supports adopting and amending the State Building Code through the rulemaking process and opposes legislative changes to building codes absent unusual or extraordinary circumstances.

As energy costs continue to rise, more attention must be paid to the poor energy efficiency of much of the existing housing stock as well as commercial and industrial buildings. Homes and other buildings that are energy inefficient are more costly to maintain and create added cost to ownership and occupancy. Making homes and buildings more energy efficient will make them more affordable to operate and will help the state achieve energy demand goals and will reduce greenhouse gas emissions. This includes supporting legislation to increase the efficiency of buildings on a pathway toward net zero energy.

Metro Cities supports state funding and technical support for programs that provide support for property owners for weatherization and energy efficiency improvements, including programs available for local governments.

While a single set of coordinated codes helps provide consistency in code administration and enforcement, implementation of sustainable building design, construction, and operation does not readily integrate with the existing state building and energy code system. As a result, many cities are interested in adopting stronger local standards for sustainable development and conservation.

Metro Cities supports authorizing cities to employ stronger local standards for sustainable development and conservation that will help inform the state code development process.

The state should include an optional sustainable appendix to the State Building Code to allow cities to utilize appropriate parts of guidelines in their communities. Metro Cities also supports the state adopting an advanced energy building standard for buildings within the State Building Code and allowing cities to adopt their own enhanced standards.

Legislative Update

HF 3028/SF 3035 (Chapter 53), the omnibus jobs, economic development, labor, and industry bill requires the Department of Labor and Industry (DLI) to update the commercial energy code to the latest version of ASHRAE 90.1 or a more efficient energy standard. The commercial energy code in effect in 2036 must achieve at least an 80% reduction in annual net energy consumption (using ASHRAE 90.1-2004 as a baseline).

HF 2310/SF 2438 (Chapter 60) includes \$20 million in FY 2024 and \$18.737 million in FY 2025 for an expanded weatherization to provide grants to homeowners to make their homes more energy efficient.

HF 2235 – Elkins included language to require the commissioner of DLI to establish a cost-per-square-foot valuation for new and additions to one-and two-family, townhouse, and accessory buildings for the purpose of setting building permit fees by municipalities. This legislation would increase the dollar threshold from \$5,000 to \$7,000 for cities to report all construction and development related fees collected by the municipality from developers, builders, and subcontractors. This language did not become law.

Chapter 37 includes policy language that requires cities of the first- and second-class provide the state fire marshal a list of high-rise buildings that do not have sprinkler systems. These buildings must be at least 75 feet or higher, were not subject to the sprinkler requirement at the time of construction and have not been retrofitted with a sprinkler system. This list is due by June 20, 2024, and an updated list by June 30, 2027, and June 30, 2032. The language also provides \$10 million in grants for owners of high-rise buildings to install sprinkler systems (\$4 million of this funding must be used towards Seward Tower East and West).

2-G Administrative Fines

Traditional methods of citation, enforcement and prosecution have met with increasing costs to local units of government. The use of administrative fines is a tool to moderate those costs.

Metro Cities supports the administrative fine authority that allows cities to issue administrative fines for defined local traffic offenses and supports further modifications to enhance functionality of this authority. Metro Cities continues to support cities' authority to use administrative fines for regulatory ordinances such as building codes, zoning codes, health codes, and public safety and nuisance ordinances.

Metro Cities supports the use of city administrative fines, at a minimum, for regulatory matters that are not duplicative of misdemeanor or higher-level state traffic and criminal offenses. Metro Cities also endorses a fair hearing process before a disinterested third party.

Legislative Update

No applicable legislative update.

2-H Residential Programs

Sufficient funding and oversight is needed to ensure that residents living in residential programs have appropriate care and supervision and that neighborhoods are not disproportionately impacted by high concentrations of residential programs. Historically, federal and state laws have discouraged the concentration of residential group homes so as not to promote areas that reinforce institutional quality settings.

Under current law, operators of certain residential programs are not required to notify cities when they intend to purchase single-family housing for this purpose. Cities do not have the authority to regulate the locations of residential programs. Cities have reasonable concerns about high concentrations of these facilities in residential neighborhoods, and additional traffic and service deliveries surrounding these facilities when they are grouped closely together. Municipalities recognize and support the services residential programs provide. However, cities also have an interest in preserving balance between residential programs and other uses in residential neighborhoods.

Providers applying to operate residential programs should be required to notify the city when applying for licensure to be informed of local ordinance requirements as a part of the application process. Licensing agencies should be required to notify the city of properties receiving licensure to be operated as residential programs.

Metro Cities supports changes to Minn. Stat. § 245A.11, subd. 4, to allow for appropriate non-concentration standards for all types of cities to prevent clustering. Metro Cities supports statutory modifications to require licensed agencies and licensed providers that operate residential programs to notify the city of properties being operated as residential programs. Metro Cities also supports the establishment of appropriate non-concentration standards for residential programs, to prevent clustering, and supports enforcement of these rules by the appropriate county agencies.

Legislative Update

No applicable legislative update.

2-I Annexation

Attempts have been made in recent years to reduce tensions between cities and townships in annexations. A Municipal Boundary Adjustment Task Force worked to develop recommendations regarding best practices annexation training for city and township officials to better communicate and jointly plan potential annexations. While the task force defined differences between cities and townships, no significant advancements were made in creating best practices.

Metro Cities supports continued legislative efforts to develop recommendations regarding best practices and annexation training for city and township officials to better communicate and plan for potential annexations. Further, Metro Cities supports substantive changes to the state's annexation laws that will lead to better land use planning, energy conservation, greater environmental protection, fairer tax bases, clarification of fee reimbursement and fewer conflicts between townships and cities. Metro Cities also supports technical annexation changes that are agreed to by cities and townships.

Legislative Update

No applicable legislative update.

2-J Statewide Funding Sources for Local Issues with Regional Impact

Many issues including, but not limited to, a metropolitan area groundwater monitoring network, emerald ash borer management, perfluoroalkyl and polyfluoroalkyl substances (PFAS/PFOS), and the cleanup of storm-water retention ponds, come with significant local costs, and have effects that reach beyond municipal boundaries.

Metro Cities supports the availability of statewide funding sources to address local issues that have regional or statewide significance or are caused by state or regional actions.

Metro Cities opposes any requirement to enact ordinances more restrictive than state law in exchange for access to these funds.

Legislative Update

HF 2310/SF 2438 (Chapter 60) includes just over \$4 million for the Minnesota Pollution Control Agency (MPCA) to continue to develop and implement their PFAS Blueprint. The law appropriates \$25 million for grants to support planning, designing, and preparing for solutions for public water treatment systems contaminated with PFAS, for the MPCA to conduct source investigations of PFAS contamination, and to sample, address, and treat private drinking water wells. The law also includes \$4 million for PFAS reduction grants. These grants are for industrial and public entities to identify sources of PFAS entering facilities and to develop pollution prevention and reduction initiatives to reduce PFAS entering facilities, prevent releases, and monitor the effectiveness of these projects. The omnibus Legacy bill includes \$2.25 million for the Metropolitan Council to implement projects that address emerging threats to the water supply, such as PFAS, by leveraging interjurisdictional coordination.

See below (2-K) for update on emerald ash borer (EAB) funding.

Chapter 60 requires MN Management and Budget to transfer \$27.397 million from the general fund to the metropolitan landfill contingency action trust account to restore that account's balance following transfers made to the general fund in 2003 and 2005.

HF 669/SF 676 (Chapter 72) includes \$12 million in General Obligation bonds for inflow-infiltration mitigation assistance for eligible metropolitan cities. This is a Metro Cities' initiative that supports cities in their efforts to mitigate I/I in local public wastewater infrastructure.

HF 24/SF 30 (Chapter 39) appropriates \$240 million from the general fund for the Public Facilities Authority to establish a grant program to replace lead drinking water service lines. Cities are among the list of eligible grant recipients. Funds can be used to remove and replace lead drinking water service lines, provide information to residents on the benefits of removing lead service lines, and perform construction

activities associated with removing and replacing lead services lines. Grant funds can also be used to repay debt related to a recipient's lead service line removal and replacement efforts.

Applicants must submit a plan to the MN Dept. of Health with information on how grant funds will be prioritized. The PFA is directed to structure the program to maximize the use of federal funds for these purposes. The PFA is also authorized to spend up to 10 percent of the funding for costs related to mapping and inventory activities that will be used to identify lead service lines. The state's goal is to remove all lead service lines in public drinking water systems by 2033. Recently changed rules for public water suppliers made at the federal level require city water suppliers to complete inventories and maps of their water supply system by October 2023.

2-K Urban Forest Management Funding

Urban forests are an essential local infrastructure component. Dutch elm disease, oak wilt disease, drought, storms, and emerald ash borer threaten public investments in trees and controlling these issues can be greatly consequential for city budgets. The Minnesota Department of Natural Resources, through its Urban and Community Forestry program, and the Minnesota Department of Agriculture, through its Shade Tree and Invasive Species program, have regulatory authority to direct tree sanitation and control programs. Although these programs allow for addressing some tree disease, pest, and other problems, funding has been inadequate to meet the need of cities to build capacity for tree programs and respond to catastrophic problems.

Cities share the goal of the state's Re-leaf Program – promoting and funding the inventory, planning, planting, maintenance, and improvement of trees in cities throughout the state. In addition, economic and environmental gains for storm water management, climate change mitigation, air quality management, tourism, recreation, and other benefits must be protected from tree loss. A lack of timely investment in urban forests costs cities significantly more in the long run.

Metro Cities supports funding for a state matching grant program to assist cities with building and increasing capacity for urban forest management, meeting the costs of preparing for, and responding to, catastrophic urban forest problems and preventing further loss and increasing canopy coverage. Specifically, direct grants to cities are desperately needed for the identification, removal, replacement, and treatment of trees related to management of emerald ash borer (EAB). The state should establish an ongoing grant program with annual funding that is usable for those activities.

Legislative Update

HF 2310/SF 2438 (Chapter 60) includes \$7.998 million in both years for the ReLeaf program along with \$400,000 in ongoing funding starting in FY 2026. The program is administered by the Dept. of Natural Resources and is intended to encourage, promote, and fund the inventory, planting, assessment, maintenance, improvement, and restoration of trees and forest resources in this state. These funds can be used to address EAB.

Both capital investment bills (Chapter 71 and Chapter 72) contain funding for grants to remove and plant shade trees on public or tribal land with a particular focus on trees lost to forest pests and increasing diversity among community forests to make them more resilient against pests and disease.

2-L Pollinator Habitat Resources

Recent declines in the abundance of pollinator insects, such as bees and butterflies, have been identified by the United Nations Food and Agriculture Organization as a threat to food security, as these insects are an important method of plant pollination. According to the US Fish and Wildlife Service, the main threats facing pollinators are habitat loss, degradation and fragmentation. Pollinators lose food and nesting sites they need to survive when native vegetation is replaced by roadways, manicured lawns, crops and non-native gardens. This can have added detriment to pollinators that migrate. Research has shown that providing these insects with more habitat can create the conditions for these insect populations to recover. Converting traditional grass lawns has been identified as way to increase pollinator habitat. The Minnesota Legislature created the Lawns to Legumes program, which provides grants to private homeowners to convert traditional lawns to pollinator friendly landscape.

Metro Cities supports state funding for the Lawns to Legumes program and supports expanding eligibility of this program to cities. Metro Cities supports state funding to programs that create pollinator habitat on both public and private lands.

Legislative Update

HF 2310/SF 2438 (Chapter 60) includes \$2 million each year for Board of Water and Soil Resources' Lawns to Legumes program. Chapter 60 gives cities of the first class the authority to prohibit the use or application of pollinator-lethal pesticides as designated by the Dept. of Agriculture. The department is required to create and maintain a list of pesticides that are eligible to be banned and a list of products that would not be impacted by a city's ordinance.

2-M Regulation of Harmful Substances and Products

In metropolitan regions where most cities share boundaries with other cities, local bans of harmful drugs and substances such as synthetic drugs, which have been found to be dangerous, do not eliminate access to these products unless all cities take the same regulatory action.

Metro Cities supports statewide regulation and prohibition of products or substances in circumstances where there is evidence that products present a danger to anyone who uses them, where there is broad local support for a ban and where corresponding regulatory issues have regional or statewide significance.

In addition, the Legislature should provide for the regulation of products that are known to damage water quality, sewer collection, and storm and wastewater treatment systems, not just at the treatment and infrastructure maintenance levels, but at the consumer and manufacturing levels, through accurate labeling of products, public education, and recycling and re-use programs.

Legislative Update

HF 2310/SF 2438 (Chapter 60) includes language prohibiting a suite of products containing intentionally added PFAS from being sold in Minnesota. These include carpets, cleaning products, cookware, cosmetics, dental floss, fabric treatments, juvenile products, menstruation products, textile furnishings, ski wax, and upholstered furniture. These bans begin January 1, 2025. The law bans all products with

intentionally added PFAS after January 1, 2032. There are some exemptions to these product bans such as medical devices.

Chapter 60 requires the Minnesota Pollution Control Agency to adopt rules setting water quality standards for PFOA, PFOS, PFNA, HFPO-DA, PFHxS, and PFBS. These standards will primarily apply to wastewater systems. This requirement was opposed by Metro Cities primarily because cities do not have the necessary technology to remove these chemical compounds from wastewater.

A bill that would have banned the sale of flavored tobacco products (HF 2177/SF 2123) was heard, but not passed this session.

2-N Private Well Drilling Restriction Authority

Cities are authorized to enact ordinances that disallow the placement of private wells within city limits to ensure both water safety and availability for residents and businesses. This authority is important for the appropriate management of local water supply conservation efforts. Municipal water systems are financially dependent upon users to operate and maintain the system. A loss of significant rate payers resulting from unregulated private well drilling would economically destabilize water systems and could lead to contamination of the water supply.

Metro Cities supports current law authorizing cities to regulate and prohibit the placement of private wells within municipal utility service boundaries and opposes any attempt to remove or alter that authority. Metro Cities supports funding that can be used to cap private wells.

Legislative Update

No applicable legislative update.

2-O Organized Waste Collection

Cities over 1,000 in population are required by law to ensure all residents have solid waste collection available to them. A city can meet the statutory requirement by licensing haulers to operate in an open collection system, authorize city employees to collect waste, or implement organized collection through one or multiple haulers to increase efficiency, reduce truck traffic and control costs to residents.

Metro Cities supports current laws that allow cities to work with existing haulers to achieve the benefits of organized collection or investigate the merits of organized collection without the pressure of a rigid timeline and requirement to pass ‘an intent to organize’ at the beginning of the discussion process. Metro Cities opposes any legislation that would further increase the cost or further complicate the process cities are required to follow to organize waste collection or prohibit cities from implementing, expanding or using organized waste collection. Metro Cities supports state funding to local governments to increase the availability of material and organic recycling.

Legislative Update

No applicable legislative update.

2-P Election Administration

Cities play a critical role in managing and ensuring the integrity of elections. Any changes made to election laws should not place undue financial or administrative burdens on local governments. **Metro Cities supports reimbursement by the state to local units of government for any costs associated with changes to election laws.**

Metro Cities supports laws to increase efficiencies in administering absentee ballots, to reduce the potential for errors and to improve absentee balloting processes.

State laws that allow the filling of municipal vacancies by special election on one of four days specified in law, can create logistical and financial challenges for municipalities. **Metro Cities supports changes to state laws that allow sufficient flexibility for municipalities in addressing vacancies in municipal offices.**

Metro Cities further supports:

- **Laws allowing in-person absentee voters to place their ballots in a secure tabulator, and statutory changes to allow this for the duration of absentee voting;**
- **Establishing an earlier deadline for ending in-person absentee voting;**
- **Revising absentee ballot regulations to allow any person 18 and older to witness the absentee process and sign the envelope as a witness; and**
- **Authorizing cities with health care facilities to schedule election judges to conduct absentee voting at an earlier date in health care facilities.**

Legislative Update

HF 1830/SF 1426 (Chapter 62) establishes the Voting Operations, Technology, and Elections Resources (VOTER) account. Each year, \$1.25 million will be distributed to counties, cities, and townships based on their share of registered voters. These funds can be used for equipment, hardware, software, cybersecurity, security-related infrastructure, capital improvements to improve polling place accessibility, staff costs, printing, postage, programming, local match for state or federal funds, and any other purpose related to election administration. Local units of government within a given county must agree on a distribution plan for their share of the funding and if an agreement is not reached the law provides a breakdown of funding for the county and its local governments. There is a separate \$500,000 in FY2024 for polling place accessibility grants to counties and cities.

Chapter 62 establishes an 18-day early voting period that will replace the current in-person absentee process. The early voting process will begin as early as 2024. Voters will complete their ballot and place it directly into a tabulator. The law mandates municipal clerk's offices to remain open during certain hours during that period. These include some weekend days and evenings.

Chapter 62 adds veterans homes to the list of facilities where ballots must be delivered to eligible voters by municipalities authorized to administer absentee voting. The same section states that at the discretion of a full-time municipal clerk, absentee ballots may be delivered to a shelter for battered women or to an assisted living facility (to follow the same process as

health care facilities, hospitals, and veterans homes). The timeline for these activities is also changed from 20 days before the election to 35 days prior to election day.

HF 3/SF 3 (Chapter 34) contains provisions related to voter registration, election administration, and election security. The law extends preregistration to those people 16 years of age, establishes an automatic voter registration process, and establishes a permanent absentee voter option for eligible voters, among other changes. Article 2 of Chapter 34 prohibits intimidating election workers and/or interfering with the elections process. The law provides more details on these offenses along with associated criminal penalties and civil remedies. (Acts related to intimidation, interference, and deceptive practices are also prohibited in Chapter 62).

2-Q Utility Franchise Fees, Accountability and Cost Transparency

Minnesota cities are authorized by Minn. Stat. 216B and Minn. Stat. § 301B.01 to require a public utility (gas or electric) that provides services to the city or occupies the public right of way within a city to obtain a franchise. Several metro area cities have entered agreements that require the utility to pay a fee to help offset costs of maintaining the right of way.

Cities are also adopting energy policies that use renewable energy resources to light or heat public facilities. Policies and programs have also been instituted in cooperation with the public utility franchisee to increase energy efficiency for all users. Cities also contract, at city expense, with public utilities to “underground” wires. State laws also require energy companies to provide more electric energy from renewable sources. The specific amounts vary by type of utility.

Metro Cities supports state policies adopted by legislation or through rules of the Public Utility Commission that provide cities with the authority to include city energy policies and priorities in a franchise or similar agreement with a franchisee.

Metro Cities supports greater accountability and transparency for city paid costs associated with underground utility and similar work performed by electric utilities as part of a local project.

Legislative Update

No applicable legislative updates.

2-R Water Supply

Municipal water suppliers are charged with meeting the water supply needs of their communities and work to do so with safe, reliable, and cost-effective systems that are sustainable both for established cities and for all future growth.

The aquifers in the metropolitan area cross municipal boundaries and therefore require a coordinated regional approach to planning for their future availability. Currently, approximately 75% of municipal water supply in the metropolitan area comes from groundwater. With proper management of the resource, the current water supply in the region is adequate; however, Metropolitan Council projections predict localized declines in aquifer availability due to population growth estimates if current usage levels are maintained.

Regulation of water is complex and compartmentalized. Various agencies permit its use, plan for its availability, regulate stormwater, treat wastewater and protect the safety of water. To ensure that water supply remains adequate and sustainable across the region, we must understand how much water can be sustainably drawn from the aquifers and what effect increases in re-use, conservation and recharge can have on the sustainability and availability of both groundwater and surface water. Many of these strategies cross agency jurisdictions and will require improved coordination and cooperation.

Municipal water suppliers have made significant infrastructure investments in their systems based on calculated water availability and DNR permits. Proposals to reduce the reliance on groundwater by switching municipal water systems from groundwater to surface water supplies will come with significant costs that could place excessive burdens on local resources.

The outcomes and benefits of re-balancing the mix of groundwater and surface water use for specific municipalities and the region must be identifiable before any projects are undertaken. The sustainability of our water supply is an issue of regional and statewide significance and the expense of any necessary projects that benefit the region should not fall on individual cities. Any attempts to address water supply sustainability must also take into account all water users, including municipal water suppliers, industry, private wells, agriculture and contamination containment.

The metropolitan region must consider the effects of groundwater use beyond the borders of the metropolitan area on the region's groundwater availability and the cost of treating contaminants in surface water that comes into the metropolitan area for use.

Metro Cities supports the removal of barriers to wastewater and storm water re-use, improved inter-agency coordination, clarifying the appropriate roles of local, regional and state governments with respect to water, streamlining and consolidating permit approval processes and the availability of statewide resources to plan for and ensure the future sustainability of water supply in the metropolitan area. Metro Cities also encourages the Metropolitan Council, in consultation with municipalities, to find ways to re-use wastewater and to develop other strategies to improve conservation.

Metro Cities supports state funding for costs associated with converting water supply from groundwater to surface water and funds to encourage and promote water conservation as a strategy to improve water sustainability and to improve and protect water quality.

Legislative Update

HF 2310/SF 2438 (Chapter 60) appropriates \$2 million from the general fund for the Metropolitan Council to develop a plan to ensure communities in the White Bear Lake area have access to sufficient safe drinking water to allow for municipal growth while simultaneously ensuring the sustainability of surface water and groundwater. The Council is directed to establish an advisory work group to help develop the plan.

The plan, which is required to be submitted to the legislature by June 30, 2027, must:

- *Evaluate methods for conserving and recharging groundwater in the area including converting water supplies that are groundwater dependent to surface water sources, reusing water, groundwater recharge projects, and any other method for reducing groundwater use.*

- *Determine which groundwater supply wells, if converted to surface water sources, would be most effective and efficient in ensuring future water sustainability.*
- *Identify a long-term plan for converting groundwater supply wells identified in the clause above, including recommendations on water supply governance, design considerations, supply source, treatment, operation, and financing needed to complete any infrastructure changes.*
- *Include any policy and funding recommendations for converting groundwater supply to surface water sources.*
- *Include any policy and funding recommendations for local wastewater treatment and recharge.*

Chapter 60 also increases the summer water use fee from \$30 to \$50 per million gallons. The fee will also be charged from May through September.

2-S Regulation of Massage Therapists

In the absence of statewide regulation for massage therapy practitioners, many cities have enacted local ordinances that require massage therapists to obtain a local professional license to assist law enforcement in differentiating between legitimate providers and illegitimate businesses fronting as massage therapy establishments.

Metro Cities supports statewide registration or licensure of massage therapists to aid local law enforcement efforts in this area. Metro Cities supports cities' ability to continue to license massage therapy businesses.

Legislative Update

HF 973/SF 967 was introduced but not included in any final legislation passed this session. The bill would have set up a statewide regulatory framework for massage therapists.

2-T Peace Officer Arbitration Reform

Many municipalities in the metropolitan area provide law enforcement services and employ licensed peace officers. To ensure the public's safety and trust, and to strengthen collaboration between citizens and peace officers, cities must have the authority to effectively govern local law enforcement agencies. City officials are ultimately responsible for the safety and protection of the local community.

Metro Cities supports statutory arbitration reforms to allow for the discipline, including removal, of law enforcement officers who have been found to have violated local law enforcement agency policies.

Metro Cities further supports a reasonable standard of review in law enforcement arbitration cases, which would limit the determination of arbitrators to whether the actions of an employer were reasonable and consistent with city and agency policies. Metro Cities further supports using administrative law judges (ALJs) or arbitration to address grievances and discipline related to police misconduct.

Legislative Update

No applicable legislative updates.

2-U Public Safety Training and Resources

Metro Cities acknowledges that the tasks public safety responders have been asked to address are increasingly the result of inadequate social services and programs. Metro Cities recognizes the need for adequate resources for social service and mental health services and programs to help reduce the need for public safety responders to perform these services.

Metro Cities supports state funding for public safety responders training, including training for crisis management, cultural awareness and implicit bias, mental health and de-escalation, and supports funding for equipment such as body cameras.

Metro Cities supports state funding for public safety innovation at the local level. This could include funding for imbedded social workers or mental health crisis response.

Legislative Update

HF 2890/SF 2909 (Chapter 52) contains funding for several grant programs of note for cities. A \$70 million transfer from the general fund into the special revenue fund will provide resources for the Community Crime and Violence Prevention program, where up to \$14 million can be spent each year. These funds are intended to be spent on community-based programs such as those that deal with at-risk youth, intervene in volatile situations, or provide services to victims of crime. Priority will be given to initiatives that have local government or law enforcement support.

Up to \$2 million each year through 2028 is allocated in Chapter 52 for crisis response grants to help local law enforcement agencies and local governments maintain or expand crisis response teams in which social workers and/or mental health providers are sent as first responders when individuals are experiencing a mental health crisis. The law also funds youth intervention programs at \$3.5 million per year.

Chapter 52 contains several training-related funding items including:

- \$400,000 in each year for reimbursing state and local law enforcement agencies that operate pathways to policing programs.*
- \$2.95 million each year for the Peace Officer Standards and Training (POST) Board to reimburse local governments for peace officer training costs.*
- \$5 million in FY 2024 to implement the Intensive Comprehensive Peace Officer Education and Training Program. This program will provide grants to law enforcement agencies that have plans in place to recruit and train qualified college graduates to become peace officers.*

Chapter 52 includes policy language regarding necessary training for peace officers on crimes motivated by bias, proper use of opiate antagonists to treat overdoses, and the duty of an officer to intercede when present or observing another peace officer using illegal and/or excessive force.

\$300 million in public safety aid was included in the omnibus Tax bill (Chapter 64). \$210 million is allocated to cities and qualifying towns. This aid can be used for community violence prevention and intervention, community engagement, mental health crisis response, victim services, training programs, first responder wellness, equipment for fire, rescue, and emergency services, and personnel or equipment costs. The law prohibits cities from using this aid for costs associated with alleged misconduct, the purchase of an armored or tactical vehicle, tear gas, or construction or remodeling of a police station and related facilities.

HF 100/SF 73 (Chapter 63), which legalized adult-use cannabis, contains \$15 million for the Office of Traffic and Safety for drug recognition evaluator training and drug recognition training for peace officers. This law also directs the Office of Cannabis Management to submit an annual report to the legislature regarding suggested funding for a variety of topics including training for peace officers.

2-V Race Equity

In the seven-county metropolitan region, people of color represent 28% of the population, and this percentage is expected to grow to 44% by 2050, according to the current population forecast from the Metropolitan Council. As racial and ethnic diversity increases in the region, people of color continue to experience significant barriers in housing, employment, criminal justice, public infrastructure, health, and education, and disparities are becoming more apparent with the COVID-19 pandemic and civil unrest that is occurring in many communities.

Across the metropolitan region, many cities are working to examine local policies and systems, to revise the delivery of public services, and to allocate resources to help advance race equity. All levels of government as well as the nonprofit and business sectors have roles to play in addressing race inequities and must work collaboratively to ensure that services and resources are considered, designed and implemented in a comprehensive, purposeful, informed and inclusive way to achieve race equity.

Metro Cities supports:

- **An examination and revision of existing state, regional, county and city laws, ordinances and policies to address racial disparities;**
- **State, regional, county and city resources to assist with comprehensive data collection, disaggregation and sharing to ensure informed policy and funding decisions at all levels of government;**
- **Funding to assist in the development of tools and resources that advance racially equitable outcomes;**
- **Activating partnerships among state, regional, and local governmental institutions and other entities to advance race equity.**

Legislative Update

HF 37/SF 44 (Chapter 3) adds a definition for race to the Minnesota Human Rights Act to include traits associated with race, including but not limited to hair texture and hair styles.

HF 2310/SF 2438 (Chapter 60) defines an environmental justice area. One way a census tract qualifies is if 40% or more of the population is nonwhite.

HF 100/ SF 73 (Chapter 63) establishes a Division of Social Equity within the newly created Office of Cannabis Management. This division is responsible for promoting development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

HF 2890/SF 2909 (Chapter 52) includes policy language requiring peace officers to report crimes of bias if the officer has reason to believe, or the victim alleges, that the act was committed because of the victim's race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression, age, national origin, or disability. The POST Board is also directed to update their list of approved training courses on crimes motivated by bias. Chapter 52 also includes an appropriation of \$1.248 million to establish an Office for Missing and Murdered Black Women and Girls and funding for increased staff and operating costs for the Office for Missing and Murdered Indigenous Relatives.

The legislature passed new programs to address the disparity gap in the homeownership rate between white households and communities of color. The legislation creates a first-generation homebuyer downpayment assistance program, a community-based first-generation homebuyer downpayment assistance program, and a fee-based home purchasing financing program. Applicants who have experienced foreclosure are also eligible.

Chapter 53, the economic development bill, creates the Emerging Developer Fund Program at the Dept. of Employment and Economic Development (DEED) to support disadvantaged communities to encourage community stabilization, revitalization, and support the growth of new and existing community-based enterprises. The bill also creates the PROMISE (Providing Resources and Opportunity and Maximizing Investments in Striving Entrepreneurs) Act Grant Program. This program under DEED will make grants to partner organizations to make grants to businesses in communities adversely affected by structural racial discrimination, civil unrest, lack of access to capital, loss of population or an aging population, or lack of regional economic diversification.

Chapter 53 also includes \$3 million in funding for the biennium for a clean economy equitable workforce grant program. Money must be used for grants to support partnership development, planning, and implementation of workforce readiness programs aimed at workers who are Black, Indigenous, and People of Color.

2-W Street Racing

Street racing is an issue of increasing concern for cities across the metropolitan region. This activity is highly mobile, is strongly associated with other illegal activity and poses significant public safety risks for participants, third-party observers, and the general public.

Metro Cities supports modifications to state laws to prohibit street racing and activities associated with promoting and undertaking the activity of street racing. Specifically, Metro Cities supports statutory changes that address the activity and associated risks posed by street racing, sliding, and

drifting. These could include penalties such as license suspension, minimum impoundment periods, and vehicle forfeiture.

Metro Cities supports state funding to help prevent and respond to street racing activity. This could include funding for State Patrol air supports and funding for costs, including overtime, associated with targeted law enforcement saturations and Toward Zero Deaths initiatives. Metro Cities also supports state resources to increase the Bureau of Criminal Apprehension's intelligence gathering capabilities and to enhance existing coordination efforts among law enforcement agencies.

Metro Cities further recognizes the importance and value of diversion programs that emphasize behavior modifications, which can help curb illegal activity and minimize recidivism.

Legislative Update

HF 2887/SF 3157 (Chapter 68) includes \$14 million from the Trunk Highway Fund for State Patrol to purchase a new helicopter, \$2.3 million for a new single engine airplane, and \$1.7 million each year for staff and equipment costs for pilots.

HF 2890/SF 2909 (Chapter 52) includes \$7 million for youth intervention programs along with base funding for the following biennium. This law also appropriates \$6 million in FY 2024 to fund "investigative partnerships" among local, state, and federal law enforcement agencies. Chapter 52 also includes a report on the Dept. of Public Safety's Fusion Center, which among other things, exists to help government, law enforcement, public safety, and private sector partners share information related to threats to public safety.

2-X Carjacking

The crime of carjacking has increased significantly in the metropolitan region, with serious consequences for individual and community public safety.

Metro Cities supports the consideration by the Legislature of statutory changes to address the severity of this crime. This includes state funding to help state and local law enforcement agencies prevent and respond to carjacking. This could include funding for State Patrol air supports and for costs, including overtime, associated with targeted law enforcement saturations. Metro Cities also supports state resources to increase the Bureau of Criminal Apprehension's intelligence gathering capabilities and to enhance existing coordination efforts among law enforcement agencies.

Metro Cities further recognizes the importance and value of diversion programs that emphasize behavior modifications, which can help curb illegal activity and minimize recidivism.

Legislative Update

HF 2890/SF 2909 (Chapter 52) includes language defining the crime of carjacking in law. Local agencies are now required to report carjacking data to the Dept. of Public Safety. DPS is directed to include carjacking data in their annual uniform crime report.

See above (2-W) for funding for State Patrol, interagency collaboration, and youth intervention programs.

2-Y Catalytic Converter Theft

Catalytic converter thefts have increased significantly across the metropolitan region and state. Stolen catalytic converters are sold to scrap metal dealers because they contain precious metals like platinum, palladium, and rhodium. Catalytic converter thefts have consequences for both individual and community public safety.

Metro Cities supports statutory changes making it illegal to be in possession of one or more catalytic converters unless an individual can show that it belongs to a vehicle they own, or they can provide a legal receipt of the catalytic converter from the vehicle owner. Metro Cities further supports statutory changes making it illegal for a scrap metal dealer to purchase a catalytic converter from any person other than a legitimate automobile recycling facility or an individual who can provide evidence of the catalytic converter's lawful removal.

Legislative Update

HF 30/SF 5 (Chapter 15) makes it illegal to possess or purchase catalytic converters without documentation showing that the catalytic converters were legally obtained. There are also provisions that prohibit cash payments for catalytic converters, require a five-day delay for payments, and require converters to be held on the dealer's premises for seven days after they are acquired. The law exempts scrap metal dealers from some requirements for situations where scrap metal dealers are selling converters to other dealers. The waiting period for payment doesn't apply if the part is being purchased from a bona fide business.