



## WEEKLY SESSION UPDATE

*March 25, 2016*

### **MAYORS MEETING WITH GOVERNOR DAYTON**

On Monday, Governor Dayton met with MLC Mayors at his residence in St. Paul. The discussion was very productive, with the Governor listening to the MLC's priorities as well as city specific concerns. Thank you to the Mayors who were able to attend this meeting!



### **INTERIM ORDINANCE**

On Thursday, the House Government Operations and Elections Policy Committee heard HF2585 (Nash). As introduced, this bill would require a two-thirds vote to pass any interim ordinance. It would also require a 30-day notice and a public hearing if an interim ordinance will regulate, restrict, or prohibit activities related to housing.

During the hearing, an amendment was adopted to reduce the 30-day notice period to 10 days. Testifiers in favor of the legislation expressed concerns with past moratoria being passed without prior notice or citizen input. Opponents of the legislation, including the League of Minnesota Cities, expressed concerns over the bill's supermajority requirement to pass an ordinance, the vagueness of its housing language, as well as the bill's limiting effect on a city's ability to deal with unique or emergency situations.

On a voice vote, the bill was passed and sent to the General Register. The Senate companion bill, SF2585 (Franzen), has not yet been scheduled for a hearing.

If you have any comments or feedback on this bill, please let us know.

### **NOTICE REQUIREMENT FOR ORDINANCES AFFECTING BUSINESS LICENSES**

On Wednesday, the House Government Operations and Elections Policy Committee heard HF1769 (Swedzinski). This bill requires counties and cities to notify potentially affected businesses at least 15 days before an initial hearing on an ordinance that may affect a business licensed by the county or city. The notice must be by first class mail and by posting on the city's website the proposed ordinance and the fact that it may affect licensed businesses. A licensed business may be "affected" if the ordinance changes the location or availability of a product or service provided by the business.

A number of business groups, including the Petroleum Retailers Association and the Retailers Association, testified in favor of this legislation. The Association of Minnesota Counties and the League of Minnesota cities testified against the bill, expressing concerns that the legislation was overly broad and a burden on local governments.

The bill passed on a roll call vote of 9-4 and was sent to the General Register. The Senate companion, SF1724 (Dahms) has not been scheduled for a hearing.

### **FRANCHISE FEES**

On Thursday, Rep. Bob Vogel introduced legislation which would impose a reverse referendum on the imposition or renewal of a franchise fee that "raises revenue beyond what is needed to defray increased municipal costs due to utility operations." A municipality would have to publish a notice containing certain information related to the proposed fee. In addition to the publication requirement, the notice must be sent to all affected rate payers by first class mail. Within 30 days of the notice, a petition signed by at least 5% of the registered voters in a community may be filed with the municipality for a reverse referendum. The law would apply to all fees issued or renewed on or after July 1, 2016.

As introduced, the bill now also has a requirement that funds from franchise fee revenue not related to the provision of utility services be kept in separate accounts.

HF2585 was referred to the House Government Operations and Elections Policy Committee, where it is scheduled for a hearing on Wednesday, March 30. Our understanding is that Rep. Vogel intends to move this legislation forward. If you have any comments or feedback on this bill as introduced, please let us know prior to the hearing.

**DONATION OF SURPLUS EQUIPMENT**

On Monday, the conference committee on HF1003 (Laine/Goodwin) met. This bill would permit a county, home rule or statutory city, town, or a joint powers entity of a city, county, or town to donate certain surplus equipment to a nonprofit organization. The bill also provide protection from tort liability for claims arising out of a donation.

Last session, this bill made it out of conference committee, but was never taken up for a final vote by either body. Monday’s meeting was purely procedural. Committee members re-passed the bill back to the floor for a final vote.

**PUBLIC SAFETY OFFICER DEATH BENEFITS**

On Tuesday, the Senate Judiciary Committee heard SF2743 (Pappas). The bill makes modifications to public safety officer death benefits, expanding the definition of “killed in the line of duty” to include the death of any public safety officer caused by accidental means while the officer is acting in the course and scope of duties as a public safety officer. It also expands the definition to include the death of any public safety officer who dies as the result of a heart attack, stroke, or vascular rupture if the officer engaged in stressful or strenuous tasks while on duty or training, or dies within 24 hours after engaging in stressful or strenuous duty or training.

Individuals from the Professional Firefighters Association, the MN Police and Peace Officers Association, the MN Fire Chiefs, and the St. Paul Fire Fighters testified in favor of the bill. The League of Minnesota Cities expressed some concerns over how this bill will impact other areas of statute and said they would be working with the author to address any issues.

The bill was passed and re-referred to the State and Local Government Committee.

On Wednesday, the House companion bill was heard in the House Public Safety and Crime Prevention Policy and Finance Committee. After similar testimony, the bill was passed and referred to the Government Operations and Elections Policy Committee.

**BILL INTRODUCTIONS**

3389	Slocum			Organized collection regulated
------	--------	--	--	--------------------------------

3463	Davids			Middle class family tax reductions provided, loopholes closed, tax fairness provided, and money appropriated.
3468	Scott			Portable recording system data classified, data destruction requirements established, consent to record data on private property required, law enforcement agency and vendor requirements imposed, audits required, written policy required, and approval by local governing body required.
3470	Vogel			Municipality use of public utility license, permit rights, or franchise fees to raise revenue notice, hearing, and reverse referendum provided.
		3045	Scalze	Local government aid (LGA) increase to certain qualifying cities authorization
		3211	Jensen	Transportation project selection process best practices for projects adoption and report requirement