



May 9, 2022

Representative Michael Nelson
Representative Frank Hornstein
Representative Mary Murphy
Representative Erin Koegel
Representative Jim Nash

Senator Mary Kiffmeyer
Senator Scott Newman
Senator Jeff Howe
Senator John Jasinski
Senator Scott Dibble

Dear Conference Committee Members:

On behalf of the Association of Minnesota Counties (AMC), an organization representing all of Minnesota's 87 counties, we write to submit feedback on House and Senate provisions being considered in the State Government and Transportation Conference Committee. As always, do not hesitate to reach out for additional information, member feedback, or questions.

STATE GOVERNMENT ARTICLE

Local Government Cybersecurity Grants (House Article 1, Sec. 6 & Article 2, Sec. 29)

As members are well aware, cybersecurity threats pose a significant threat in today's interconnected world. For counties who manage several IT platforms that host a variety of private financial, health, and property tax information, threats of system hacks and exposure are a daily concern. AMC appreciates and supports the House's position providing significant financial resources in the form of local government grants to address increased cybersecurity threats.

Expansion of Peace Time Emergency Declaration for Cybersecurity Attacks (House Article 2, Secs. 6-10)

While counties support the underlying premise of providing the Governor more flexibility to provide resources for a cybersecurity attack, AMC would respectfully ask that the Conference Committee consider language extending these powers to also include local government infrastructure. Cities and counties operate technology and data systems that include a multitude of private and sensitive data/information. Expanding language to include local government systems would mirror similar, current statute that already affords the governor to provide for a declaration of peace time emergency for more traditional local government emergencies such as an act of nature.

Expanded Investment Authority (House Article 2, Secs. 56-58 & Senate Article 5, Sections 21-23)

AMC thanks both the House and Senate for including provisions providing additional investment options for government insurance pools.

OCDR Funding Request (House Article 2, Sec. 23)

AMC appreciates the work of the Office of Collaboration and Dispute Resolution and has utilized the office's expertise numerous times to the benefits of better county governance and more effective outcomes for Minnesotans. Most recently, AMC benefited from the Office's work to find stakeholder agreement on the national opioid settlement. Once signed into law, this legislation will provide tremendous resources for community members and local governments to battle the side effects of the opioid epidemic and better support individuals and families impacted by opioids and addiction.

Nonprofit Grant Language (Senate Article 5, Sec. 16)

AMC has concerns about the potential consequences of Senate language surrounding grants to nonprofit organizations that have elected officials serving on their boards. Elected county commissioners sit on a variety of public, non-profit boards where they lend their expertise and public service to provide benefits to organizations serving Minnesotans across the state. If this provision becomes law, local non-profits would lose the expertise of these local officials.

Public Land Survey Monument Restoration (Senate Article 5, Sec. 62)

AMC supports Senate language that would create a legislative report detailing the status of the monuments that mark public land survey corners in the state. Public Land Survey System (PLSS) monuments are essential for all property descriptions, location of infrastructure, and are the basis for accurate digital geospatial data. A report detailing the status, work needed, and costs will be helpful to addressing the statewide restoration and preservation program of the PLSS.

TRANSPORTATION ARTICLES

AMC has long advocated for the statewide need for increased transportation dollars. One of our top priorities over the past several years is support for a comprehensive transportation funding bill that includes new, dedicated revenue for roads, bridges, and transit.

TRANSPORTATION FUNDING

Federal IIJA Match Funding (House Article 11, Sec. 2, Subd. 4(a)(1) & Senate Article 3, Subd 3(a))

It takes funding at the local, state, and federal level to meet the needs and demands on our local transportation system. With the passage of the federal Infrastructure Investment and Jobs Act (IIJA) the state needs to be in a position to best utilize these federal funds. We appreciate that both the House and Senate positions include IIJA match money for local roads. We have some concerns that the House position only includes one-time IIJA match funding, and while this funding is greatly appreciated, local agencies will need a stable flow of state matching dollars over the next five years to maximize available federal funds.

Auto Parts Sales Tax Revenue (Senate Article 10, Sec. 20)

AMC appreciates the inclusion of language to statutorily dedicate all of the revenue from the sales tax on auto repair parts to transportation found in the Senate position. It was only a few years ago that AMC reversed a long-standing position opposing general fund dollars to fund transportation due to the fact that there are many other county programs that rely on the general fund. After careful consideration, we reversed that position and supported re-directing revenue collected from the sales tax on auto repair parts as part of a compromise solution to address the dire needs of our transportation infrastructure. Counties know that in order to find a solution this year to how this revenue will be divided will require compromise. We urge the Legislature and the governor to work together to find a solution on how to divide this revenue so as to bring additional funding to county highways and bridges through the County State Aid Highway (CSAH) fund while also including a portion of the revenue for transit.

Electric Vehicle Surcharge (Senate Article 7, Sec. 2-5)

AMC also supports efforts to capture revenue from all users, including electric vehicles, and we support the increased surcharge for electric vehicles found in the Senate position. The increased funding from these dedicated revenues will help address the needs on the county system and provide necessary revenue to roads, bridges, and transit.

TRANSPORTATION POLICY

Traffic Safety Advisory Council (House Article 13, Sec. 1)

AMC supports the establishment and inclusion of the Traffic Safety Advisory Council and also appreciates the inclusion of a representative from AMC and the MN County Engineers Association (MCEA) on the Council. We welcome the opportunity to work with all members of the Council on the development and implementation of projects and programs intended to improve traffic safety on all Minnesota road systems.

Corridors of Commerce (House Article 13, Sec. 9-13 & Senate Article 10 Sec. 2-7)

AMC appreciates the language in both the House and Senate positions to include Corridors of Commerce Program changes. At this stage, we believe the House position is better suited to the needs of local governments, and we appreciate conferees working with counties on ways to improve the language going forward.

Certain Speeds Limits in Ramsey County (House Article 13, Sec. 30)

AMC and MCEA oppose the language in the House proposal that would allow Ramsey County to reduce speed limits on certain county roads by board resolution and without a traffic and engineering study. Despite the limited nature of this language, we think it sets a bad precedent. Both AMC and MCEA have long-standing platform positions supporting the exclusive role of the Commissioner of Transportation in establishing speed zones on all roadways. We support the process established by Minnesota Statutes 169.14, Subd. 5 which ensures objective, uniform determination of speed limits by centralizing such authority with the Minnesota Commissioner of Transportation. Both organizations oppose any statutory changes that result in a lack of consistency in how speed limits are determined across the state.

Federal Funds Local Assistance Program (House Article 13, Secs. 39-40)

AMC appreciates the creation of the Federal Funds Local Assistance Program and the funding provided in the House position. Counties have been working with MnDOT and other stakeholders on proposed changes to how the program would be administered as well as the local aid match requirement. We would appreciate your consideration of these proposed changes.

MSAS Changes (Senate Article 10, Sec. 11)

MCEA, in connection with MnDOT and the City Engineers Association of Minnesota (CEAM) are concerned with the Senate language that would eliminate the use of funding through the State Aid System for lane reductions. This provision removes the ability of engineers to redesign roadways to better fit the context and safety needs of the area. A common example includes a four to three lane conversion that adds a center left turn lane, which can result in additional safety and capacity benefits by eliminating left turns from a through lane and increasing safety for pedestrians.

Metro Counties LOST Report to Legislature (Senate Article 11, Sec. 1)

AMC is concerned with the language in the Senate proposal that would require metro counties that have implemented the local option sales tax to provide a report to the Commissioner on the use of this revenue. Counties have the statutory authority to implement this tax and before doing so must hold a public hearing and designate how the revenue will be spent. We believe counties should not be required to provide a legislative report on locally raised tax dollars.

Guideway Funding (Senate Article 11, Sec. 9)

AMC opposes the language in the Senate proposal relating to the county responsibility for the funding of guideways. At a time when additional funding for the transportation system is needed, counties should not be required to shoulder these costs on their own. A similar proposal was put forward last session, and we shared the same concerns at that time. Since then, a large federal infrastructure package has passed that includes significant funding to maintain our roads, bridges, and transit system. Leveraging federal resources and new transportation funding is what is needed to maintain and improve our state's transportation assets, instead of shifting those costs to our counties.

INDEPENDENT EXPERT REVIEW ARTICLE

AMC thanks both the House and Senate for including the provisions put forward from the Driver and Vehicle Services Independent Expert Review. We appreciate the amount of time and care that Dr. King's team put into the report and for your attention to bringing the recommendations forward.

ELECTIONS ARTICLE

Uniform Mail Balloting Language (House, Article 3, Sec. 41)

AMC appreciates House language providing uniform standards for the use of mail balloting. Currently, municipalities with fewer than 400 registered voters may utilize mail balloting for their residents but *only* if their jurisdiction is outside the metropolitan area. AMC believes that voters should be treated similarly no matter their geographic location and supports eliminating current statutory limitations.

Sample Ballot Publication Changes (Article 6, Sec. 32)

AMC supports the Senate's efforts to provide modernization to sample ballot publication statutes. As it stands, counties are required to publish multi-page notices that can contain sample ballots that are not reflective of constituents' districts or ballots they will receive at a polling place or through the mail. This causes unnecessary voter confusion. AMC is grateful for Senator Kiffmeyer's leadership to address this issue and looks forward to continued collaboration with the Minnesota Newspaper Association to provide a thoughtful, publicly-focused, revision to law.

Election Worker Protections (Article 3, Sec. 59)

AMC joins the League of Minnesota Cities, Minnesota Association of Townships, and Minnesota Association of County Officers in supporting provisions introduced by Rep. Greenman that increase the protection of election workers from election interference and/or intimidation. Collectively, we believe that these protections will assist in the recruitment and retention of election workers, which are critical to the successful operation of our state's election systems.

Non-Governmental Absentee Ballot Application/Sample Ballot Mailings (House Article 3, Sec. 58 & Senate Article 6, Sec. 35)

AMC supports House and Senate language to require notices/disclaimers to be printed on non-governmental mailings containing absentee ballot applications or sample ballots.

Drop Box, Livestreaming, and Ballot Observer Changes (Senate Elections Article)

The Senate contains numerous election proposals aimed at instituting new ballot drop box requirements and livestreaming services, as well as a proposal to create a new ballot observer role. AMC has appreciated working with Chair Kiffmeyer to make these efforts more workable, but still cannot endorse the provisions in their entirety. Election officials still voice concerns over the feasibility of new timelines surrounding the entering of voter registration as well as voicing concerns over the lack of clarity surrounding drop box limitations and counties' roles in supervising any infraction. In addition, there remain several questions surrounding the logistical challenges of operationalizing livestreaming technologies and infrastructure at a multitude of ballot board locations across the state. At the same time, we have appreciated Chair Kiffmeyer's willingness to use state resources for the implementation of new equipment and increased data storage and redaction efforts.

PENSIONS ARTICLE (HOUSE)

AMC recognizes the important role pensions play in providing for a dignified and secure retirement for county employees who have served the public throughout their professional careers. Like all Minnesotans, AMC also has concerns about the effects of inflation—on government services, projects, employee wages, as well as the erosion of pension benefits. Should the Legislature act to enhance pension benefits this session, AMC respectfully requests that any pension change:

- Guarantees full state funding of any new and/or enhanced benefit, both short-term and long-term costs, so as not to jeopardize funding statuses or place employees/employers with a future liability,
- Provides benefit equity between pension plans as well as pension plan participants (active employees, retirees, and employers),
- Respects historic funding ratios between employee and employers,
- Maintains PERA's full funding trajectory.

In summary, we thank members for their attention to these issues and look forward to further collaboration in the weeks ahead.

Sincerely,



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