



# Board of County Commissioners Agenda Request

**6A**  
Agenda Item #

**Requested Meeting Date:** September 27, 2022

**Title of Item:** Review 2023 MRC Legislative Priorities

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input checked="" type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
<b>Submitted by:</b> Jessica Seibert	<b>Department:</b> Administration	
<b>Presenter (Name and Title):</b> Jessica Seibert, County Administrator		<b>Estimated Time Needed:</b> 10 Min.
<b>Summary of Issue:</b>  Minnesota Rural Counties (MRC) is in the process of developing the 2023 MRC legislative priorities. Attached are draft documents from the most recent meeting. Commissioner Niemi and Commissioner Westerlund who serve as Aitkin County representatives on this board would like to gather Board feedback regarding the drafts to bring back to MRC.		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b> Direction requested.		
<b>Financial Impact:</b> <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.



## **MRC 2023 Draft Priorities Worksheet**

**(Post September 14<sup>th</sup> Board Review)**

Transportation Funding:

County Based Purchasing:

Rural Broadband Funding:

Emergency Readiness Grants:

Energy for Greater Minnesota Manufacturing and Residential Needs:

Support for Greater Minnesota Community Hospitals:

Preserving Tax Base:

DNR Regulatory Authority over Public Drainage Maintenance and Repair:

**\*Issues Added for MRC Legislative Priorities in 2023 at the September Board Meeting:**

Oppose Drainage Registry Portal

Support Public Land Survey

Support More Funding for Solid Waste

Oppose Clean Car Rule



# Minnesota Rural Counties Legislative Policy Positions 2022

## Broadband Development

MRC supports adequate funding to address concerns in both unserved and underserved areas of the state.  
Adopted Oct. 3, 2016

MRC supports at least \$70 million per biennium to fund the Border-to-Border grant program in the FY2021/22 budget, and continues to support the current requirement that funded projects meet scalability requirements commensurate to meeting the 2026 state speed goal.  
Dec. 6, 2020

MRC supports initiatives to make it easier for counties, cities, municipal utilities, schools, libraries, and other public sector entities to collaborate and deploy broadband infrastructure and services at the local and regional level.  
Oct. 3, 2016

MRC supports adequate funding for the Office of Broadband Development within the Department of Employment and Economic Development.  
Oct. 3, 2016

## County Administration and Management

### **Intergovernmental Relations / District Courts**

MRC supports adequate funding of the court system.  
Jan. 14, 2010

### **Intergovernmental Relations / State-County Administration”**

MRC supports the protection of local governments to make planning decisions based on local standards and local initiatives. This policy recognizes there are differences in the natural and demographic landscapes of the state. Further, MRC opposes state initiatives, implied or direct, that would force compliance by local governments with planning guidelines set by the state.  
Aug. 26, 1998

MRC opposes implementation of statewide building codes.  
Feb. 28, 2003

### **State-County Relations**

MRC supports outcome-based legislation.  
April 21, 2011

MRC supports the protection of local governments to make planning decisions based on local standards and local initiatives  
Jan. 26, 1998

## Economic Self-Sufficiency

MRC supports adequate funding to address statewide workforce housing needs.  
Feb. 25, 2014

## Emergency Preparedness

MRC supports a \$3M increase in the base appropriation from the general fund to HSEM for grants awarded in equal amounts to emergency management departments in the 87 counties, 11 federally recognized tribes, and four cities of the first class, for planning and preparedness activities including capital purchases.  
Jan. 6, 2020

# Environment and Natural Resources

## **Clean Car Minnesota**

MRC supports legislative review of any and all issues of consequence that would bring harm to the culture and / or economy of rural counties. Further, MRC opposes the attempt by the MPCA to adopt the MN Clean Car rule without consulting the legislature and encourages the Walz administration to withdraw the proposed rule and submit the issue to legislative review. March 15, 2021

## **Discharge Requirements**

MRC opposes overly stringent MPCA regulations on discharge requirements. Oct. 3, 2016

## **Mississippi Headwaters Board:**

MRC supports sufficient funding for the Mississippi Headwaters Board. Feb. 26, 1999

## **Off-Highway Vehicles:**

MRC supports a multiple-use strategy for public forest lands, and recognizes Off-Highway Vehicle Trails on public lands are a reasonable and desirable use for recreational, environmental and economic development purposes. Oct. 3, 2016

MRC supports the development and maintenance of environmentally sound, sustainable Off-Highway Vehicle trails on public lands in the state, and recognizes that sustainable and environmentally sound OHV trail systems provide significant economic benefits to the state, promote multiple-use of our natural resources, and reduce illegal activities. Oct. 3, 2016

MRC supports maintaining the current status for OHV's on state owned lands above Hwy. 2, and supports a dedicated system of sustainable OHV trails in the state forest system. Jan. 11, 2007

MRC opposes efforts to restrict or eliminate OHV access to public lands where access cannot be demonstrated to cause negative social or environmental impacts. Jan. 11, 2007

## **Parks and Trails**

MRC supports the goals and objectives delineated in the Greater Minnesota Regional Parks and Trails Commission Strategic Plan (2015), and the Greater Minnesota Regional Parks and Trails Commission System Plan and Work Plan (2016). Oct. 3, 2016

## **Water**

MRC supports maintaining the regulatory certainty of public waters designations established under the Public Waters Inventory Program. Steve Schmitt made a motion to adopt the language as presented. Dec. 5, 2021

MRC supports adequate funding for Aquatic Invasive Species programs for counties. Feb. 2, 2015

## **Wetlands**

MRC supports state funding through the Board of Water and Soil Resources, to local governments for wetland planning. Jan. 26, 1998

## Land Use Planning and Regulation

MRC supports the re-surveying and re-monumentation Act Dec. 5, 2021

## **Ag Land Management**

MRC supports legislation to clarify and reinforce county drainage authority under existing laws. Jan. 6, 2020

MRC joins statewide farm and commodity organizations in opposition to permanent easements on productive ag lands and urges consideration of more flexible policies establishing reviewable easements with limited timelines. Jan. 9, 2004

MRC opposes the use of public funds for the purchase of private lands without county board approval. April 21, 2011

MRC supports a no net loss of tax base and/or acreage without approval of the local county board. Feb. 26, 1999

The MRC supports efforts to recognize, quantify and alleviate degradation to public and private lands caused by beavers. Jan. 11, 2007

The MRC supports increased funding to Reinvest in Minnesota. Jan. 11, 2007

When applicable, any proposed legislation impacting private land, should include a reference to:  
\*Art. I, Sec.13 of the MN Constitution pertaining to private property protections. Jan. 26, 1998

MRC supports a balanced approach to environmental and wildlife enhancement efforts. Jan. 9, 2004

### **Private Property for Public Use**

Private property shall not be taken, destroyed or damaged for public use without just compensation therefore, first paid or secured. Jan. 26, 1998

### **Land Use Planning and Regulation / Animal Agriculture County Permitting Programs**

MRC recognizes production agriculture is a cornerstone of the state and rural economy and works to support programs that benefit agriculture. Jan. 9, 2004

MRC recognizes that decisions regarding the permitting of feedlots are made by the county, and the MRC supports the continuation of these permitting decisions to be made at the local level. Jan. 26, 1998

MRC recognizes the value in maintaining natural stands of wild rice, and supports efforts to protect and enhance natural wild rice. Oct. 10, 1997

### **Public Land Management**

MRC supports land use policy that promotes communication and review between agencies that grant state funding for private lands in Greater Minnesota, and the rural communities where much of those acquisitions occur. Feb. 15, 2017

Key policy components include:

1) Preserve, Restore, and Protect: Direct a larger portion of state natural resource funds to maintenance of lands already under state administration.

A percentage of all annual natural resource land management allocations must be directed toward preservation, restoration and enhancement of lands under state management.

2) Increase annual appropriation to the Small Grants Program.

3) The state may pay no more for land acquired than the assessed market value within the area.

4) Lands purchase with state awarded grants must be held for a minimum of seven years before conveying ownership to the state.

5) Replace permanent easement with 25-year review.

6) Easements blink off if a parcel goes tax forfeit. County may sell the parcel unencumbered by easement.

7) Direct DNR to sell scattered parcels. DNR will identify scattered lands under DNR management in each county within a year after law is enacted. Counties will, within six months of the date the scattered parcels are identified,

inform the DNR which parcels they wish to be sold. The DNR must offer the lands identified by the county for sale within one year of notification by the county.

8) Within two weeks of the grant application deadline, the natural resource land management agency that is administering the grant is directed to forward project applications to the counties the land in the grant is located for review and comment.

8a) Within two weeks of receiving notification of grant application, a county shall review the lands included in the application to determine how the project fits with the county comprehensive plan, or its No Net Gain policy. The county will provide results of that comparison to the commissioner in writing.

- 8b) Within two weeks of receiving notification of grant application, a county may
- a) reply to support the grant application.
  - b) reply with notification it contests the grant application and stating concerns. Those concerns may include recommendations for improvements to the land before support would be granted. (Improvements could include fencing, weed removal etc.)
  - c) oppose the application.
  - d) request a cost / benefit analysis comparing benefits of public vs. private ownership of the project area from both a regional and statewide perspective.

The cost / benefit analysis must address economic, environmental and cultural considerations in making its determinations. If requested, a cost / benefit analysis must be conducted. The cost / benefit analysis will be conducted by the agency administering the grant.

- e) request findings of the cost / benefit analysis be presented at a public meeting in the county where the project is located.

9) Create State Private Land Acquisition Board. State Private Land Acquisition Board consists DNR Commissioner or representative, LSOHC member, three county commissioners, one township officer.

Amend MS97A.145 (d), (e) as follows:

(d) If the county board disapproves the acquisition, it must state valid reasons. The commissioner may not purchase or lease the land if the county board disapproves the acquisition and states its reasons within the prescribed time period. The landowner or the commissioner may appeal the disapproval to the State Private Land Acquisition Board.

(e) The commissioner or the owner of the land may submit the proposed acquisition to the district court having jurisdiction where the land is located if: (1) the county board does not give reason for disapproval, or does not approve or disapprove the acquisition within the prescribed time period; or (2) the commissioner or landowner believe that the disapproval is arbitrary and capricious, or that the reasons stated for disapproval are invalid.

10) If grants are awarded on a project that the county opposed and notified LSOHC within the timelines prescribed, the county may appeal to the State Private Land Acquisition Board as prescribed in MS97A.145 (d) as amended.

Feb. 15, 2017

## Energy

### **Energy and the Rural Economy**

MRC recognizes that rural economies depend on a safe, reliable and affordable source of on-going energy to meet manufacturing and production needs. MRC supports energy initiatives that assist rural agriculture, manufacturing and economic development to compete successfully for market share, and opposes energy and economic development policies that impose inequitable cost or regulatory burdens which hinder the ability of rural businesses to compete in the marketplace.

Jan. 22, 2009

### **Transmission and Distribution**

MRC supports an energy plan going forward that recognizes reliability, affordability and flexibility are the three most important components to any new plan, and that any new plan must address critical transmission bottlenecks.

Jan. 6, 2020

MRC supports the use of nuclear power and coal as a means of gaining energy independence and maintaining a strong, reliable supply of power to the state.

Jan. 22, 2009

MRC supports elimination of the moratorium on the construction of new nuclear power plants in the state.

Jan. 20, 2009



## Health and Human Services

### **Rural Nursing Homes:**

MRC supports rural nursing home staffing and revenue concerns.

Feb. 7, 2022

### **Child Safety and Well Being**

MRC supports state and federal funding enhancements to address growing demands for out of home placement needs.

Sept. 22, 1999

MRC supports Family First legislation that allows counties to capture federal funding and improve current IV-E revenues.

Dec. 6, 2020

MRC supports an adequate network of services in Greater Minnesota to ensure all regions of the state have access to federal Family First Reimbursement.

Dec. 6, 2020

### **Health Care Financing, Access and Quality / New Health Care Delivery Systems & Health Care Homes**

MRC supports a combined treatment and correction center model.

Jan. 11, 2007

### **Children's and Family Health**

MRC recognizes the state is putting significant new focus on child protection services and supports adequate funding to staff those additional new county mandated requirements.

Oct. 3, 2016

MRC recognizes that substance abuse is a significant contributor to the rising out of home placement rate, and that the cost of the increased out of home placement caseload is being sustained by counties. MRC supports adequate access to Substance Use Disorder (SUD) treatment and services throughout the state and for the state to adequately fund child protective services programs.

Dec. 6, 2020

### **Community Health**

MRC opposes as untenable, the cost shifts **to counties** for Community Behavioral Health Hospitals.

Oct. 3, 2016

MRC supports development of an adequate network of regional and community treatment options to ensure that people who are placed in the state operated system can receive the adequate level of care in the community once they are ready for discharge and to maintain people in our communities.

Dec. 6, 2020

### **Health Care Funding**

MRC supports maximization of federal reimbursements for state-mandated human services programs like MN Sure and Medical Insurance.

Oct. 3, 2016

MRC supports adequate funding and significant administrative simplification to carry out new state-imposed mandates on counties and administrative simplification.

Oct. 3, 2016

MRC supports adequate funding and administrative simplification and systems modernization across the DHS system.

Dec. 6, 2020

## Health Care Financing, Access and Quality

### **County Based Purchasing**

MRC supports CBP and urges legislative leaders to do no harm to this critically important and successful health care delivery model.

Jan. 6, 2020

### **MRC supports rural hospitals in the following meaningful ways:**

MRC supports addressing critical delays in authorizing claims and arbitrary claim denials by MN based health plans.

Jan. 6, 2020

MRC supports new investments addressing critical mental health needs.

Jan. 6, 2020

MRC opposes mandated nurse to patient staffing ratios.

Jan. 6, 2020

MRC opposes elimination of new physician non-compete contracts that are essential to rural physician recruitment.

Jan. 6, 2020

## Telehealth

MRC supports modification of telehealth coverage service to address critical health care access needs.

March 15, 2021

## Mandates

### Maintenance of Effort Requirements

MRC urges Legislators to remember that many programs administered by counties – including nearly all the social services and nursing services – are mandated by the state and federal government. Jan. 15, 2003

MRC supports a full review of mandated services before any effort is made to reduce local aid to counties. The review should determine the extent to which the mandated program is dependent on the local property tax.

Jan. 15, 2003

MRC believes state programs mandated for county administration should either be accompanied by adequate funding and clear direction to carry out the program, or counties should be relieved of the responsibility of carrying out the mandate.

July 8, 2009

## Public Safety, Corrections and Courts

Law Enforcement and Public Safety Collaboration / Public Safety, Correction and Courts

The MRC supports additional funding for the BCA Buy Fund to assist counties with unforeseen costs.

Sept. 22, 1999

MRC supports state bond matching funds for county jail initiatives.

MRC supports efforts to address methamphetamine production, use, and treatment through funding and county authority for:

- Treatment for methamphetamine users to include assessment, education, transitional work program, ongoing drug testing, family reunification, and after care;
- Screening for children and vulnerable adults exposed to meth;
- Child and vulnerable adult protection, including out of home placement costs;
- Cleanup of methamphetamine sites and property owner liability to include impacts to lakes and to individual sewage treatment systems; and
- Methamphetamine-related health care costs for inmates of county facilities.

March 29, 2005

MRC supports leveraging greater federal participation by assuming responsibility for decisions by courts on placement of juveniles.

Sept. 22, 1999

## Tax and Finance

### State Budget

MRC believes legislators should consider all available options to balance the state budget shortfall.

Jan. 15, 2003

MRC believes county taxpayers should not be responsible for the financial consequences of the neglected responsibilities of the State's Governor and Legislature.

July 8, 2009

### Capital Gains

MRC supports relief on capital gains taxes for farmers.

July 8, 2009

### County Program Aid

MRC supports policy that preserves county tax base.

Jan. 6, 2020

MRC supports legislation that would reduce County Program Aid volatility and provide increased and sustainable funding for counties to deliver tax relief for taxpayers while maintaining essential county services for constituents.

Oct. 3, 2016

MRC urges Legislators to recognize that cuts in aids to local government mean cuts to local services, or property tax increases to offset the loss of state aid.

Jan. 15, 2003

MRC supports an increase in state-aid funding to rural counties.

Aug. 8, 1997



### **Levy Limits**

MRC opposes levy limits and believe levy limits are the prerogative of the county board. April 21, 2011  
MRC opposes granting SWCD's levy authority. Feb. 28, 2003

### **Liquor Tax Rebate**

MRC supports the implementation of a liquor tax rebate to counties to offset the mandated costs related to alcohol treatment. Dec. 3, 2000

### **Payment in Lieu of Taxes (PILT)**

MRC supports legislation that would guarantee the state pays the property tax burden up front on purchase of land when using Outdoor Heritage or Legacy funds – thus guaranteeing local governments receive exactly what's owed in property taxes in perpetuity. Oct. 3, 2016

MRC supports stable, equitable, and adequate funding for Payment in Lieu of Taxes. April 19, 2010  
MRC supports the use of new funds obtained through the constitutional dedication amendment to be used for preserving Payment In Lieu of Taxes (PILT) Jan. 22, 2009

MRC supports fee title transfer of state-administered land in equal value to a proposed cut to that county's PILT. April 21, 2011

### **Production Taxes**

MRC supports reclassification of the wind tower production tax, and any other applicable revenue generated from renewable energy sources, as a state aid for purposes of levy limit calculation. Feb. 2, 2015

### **Property Tax Reserved for Local Governments**

MRC opposes initiatives by investor-owned utilities that would shift personal property taxes paid on transmission and pipelines by IOU's to local governments. Feb. 2, 2015

## **Transportation**

The County State Aid Highway system is the backbone of the Greater Minnesota economy and the key factor to any successful local, regional or statewide economic development plan. Feb. 8, 2016

MRC believes highway funding should be conducted with constitutionally dedicated funding from a statewide perspective utilizing long-term sustainable funding solutions. Feb. 8, 2016

MRC supports adequate funding for the maintenance and deployment of (state and local roads and bridges) railroads, airports and waterways as part of an integrated and efficient transportation system including adequate state funding for the Minnesota Rail Service Improvement Program (and Port Development Assistance Fund) to provide the necessary statewide access to national and international markets. Feb. 15, 2017

MRC supports increased funding for all modes of transportation to meet the documented unmet needs [at least \$2.5 billion per year for the next 20 years as identified by the Transportation Finance Advisory Committee (TFAC)] on the transportation system statewide. These increases should be comprehensive, balanced, sustainable, dedicated, and could include:

▶ Gas tax, including indexing or other inflationary increases;

- ▶ Motor vehicle registration fees;
- ▶ Motor vehicle sales tax;
- ▶ Gross receipts tax on transportation fuels.

Feb. 15, 2017

MRC supports efforts to capture revenue from all highway users, including electric vehicles. Feb. 9, 2017

MRC supports full funding for the Board of Water and Soil administered Local Road Wetland Replacement Program. Feb. 15, 2017

MRC supports adequate funding for the Port Development Assistance Fund Feb. 15, 2017

MRC supports directing surplus revenues to fund highway needs. Feb. 8, 2016

MRC supports the dedication of auto parts sales tax revenue to the HUTDF. Oct. 3, 2016

MRC supports transferring the first \$32 million in Motor Vehicle Leased Sales Tax revenue to the HUTDF. Feb. 8, 2016

MRC supports a ballot initiative to constitutionally dedicate 100% of auto part sales tax and leased vehicle sales tax to the HUTDF. Oct. 3, 2016

MRC supports funding the Local Road Improvement Program through Capital Investment at a level of at least \$100 million annually in non-earmarked revenues. Feb. 8, 2016

MRC supports at least \$75 million in general obligation bonds for local bridge replacement and rehabilitation. Feb. 8, 2016

MRC supports the creation of a large bridge projects fund for bridge projects above \$5 million. Feb. 8, 2016

MRC wants decision makers to know that local initiatives like the Wheelage Tax and Sales Tax initiatives are not options that offer relief to border counties or counties with low population and little retail sales base. Feb. 8, 2016

MRC supports sufficient and immediate funding to counties for turn back accounts. Feb. 26, 1999

MVST  
MRC supports the continued distribution of 60% of MVST funds through the HUTDF. Oct. 3, 2016  
MRC supports increasing the sales tax on motor vehicles to the current State Sales Tax Rate. Dec. 6, 2020

**Transit**

MRC supports adequate funding for rural transit systems. April 21, 2011

**Tribal Affairs**

MRC supports no loss of revenue or tax base to the county, or the use of state revenue for the purchase of private land to be converted to trust land. Jan. 26, 1998

MRC supports tribal and federal state responsibility for out of home placement costs as they pertain to counties Native American Children Jan. 26, 1998

MRC supports state remuneration to counties for required county services resulting from casino activities. Feb. 26, 1998

MRC opposes the use of county property tax revenues for tribal court placement costs. May 22, 2008

MRC supports tribal and state funding for all children placed through tribal courts. July 17, 2008

MRC supports the continuation of mandatory law enforcement agreements between tribal governments and local law enforcement. Oct. 3, 2016

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