



2024 MLC Legislative Platform

We believe sound policy advances and maintains strong communities. The Municipal Legislative Commission (MLC) supports initiatives that will help our cities, businesses, region, and state develop and thrive. Below are MLC’s positions in key policy areas that will guide our advocacy efforts during the coming year.

Public Safety

MLC cities are dedicated to ensuring public safety in our communities. At the same time, we are increasingly concerned about the local budgetary implications of specific policies and one-size-fits-all approaches that limit local officials’ ability to tackle complex challenges. Issues such as PTSD and addressing duty disability claims persist as significant challenges for our communities. The uncertainty surrounding recent legislative modifications to the use of force by Student Resource Officers (SROs) is also a concern our association urges the legislature to address. Emergency medical services present another growing worry for our cities as the ongoing challenges of ensuring timely and high-quality ambulance and emergency services continue to mount for some communities. Consequently, MLC believes local control over these services would produce the most favorable outcomes for our communities.

MLC supports these specific policies and programs empowering local elected officials to effectively manage public safety issues in our communities:

I. Local control of Emergency Medical Services (EMS)

The Emergency Services Regulatory Board (EMSRB) is the state’s regulatory entity that oversees and issues ambulance licenses. This board has the authority to designate exclusive emergency medical services (EMS) operating areas or primary service areas (PSA) for ambulance providers, and once approved, a provider can operate in a PSA for an indefinite period of time. Unfortunately, the EMSRB has not imposed operational standards to ensure that a PSA has adequate coverage and service levels. As a result, this current system is not serving all communities very well.

MLC supports:

- a. Allowing *local units of government* to designate which licensed ambulance services provider or providers may serve their communities and to determine the appropriate level of service
- b. Providing *local units of government* with tools and authority to ensure transparency regarding performance standards and quality assurance metrics



II. Clarification of School Resource Officer (SRO) Authority

Recent legislative changes that limit the use of force towards students by SRO's has caused considerable confusion within the SRO program. Although the Attorney General has issued two opinions attempting to clarify the student discipline laws, confusion and legal ambiguity remain.

MLC supports: Legislative clarification regarding SRO's authority for use of force in school settings.

III. Address Near Automatic PERA Approval of PTSD Duty Disability Claims

The number of Public Safety Duty Disability claims has risen consistently since 2019. According to the Public Employees Retirement Association (PERA), the following number of applications were received:

2019: 118 applications

2020: 241 applications

2021: 302 applications

2022: 257 applications

More than 80 percent of these applications are related to PTSD and 95 percent are from law enforcement employees (although law enforcement make up only 80 percent of PERA plan, with firefighters making up about 20 percent).

Eligibility for PTSD and duty disability criteria is set by state law. As a result, fewer than 1 percent of applications are denied by PERA. The financial implications are significant for cities once an employee becomes eligible for a PERA duty disability (requirement to provide continued health insurance benefits until the employee reaches the age of 65).

MLC supports:

- a. Undertaking a thorough review of MN Statute 353.031–Disability Determination Procedures—to address potential changes to criteria used and the appeals process
- b. Full state funding for programs that pay for health insurance for police and fire employees injured in the line of duty



Housing and Home Ownership

Housing is a top priority for MLC cities, particularly increasing the production and availability of new affordable housing and ownership opportunities. Higher land, building material, and labor costs have led to more than a decade of underproduction, resulting in a housing gap in Minnesota. This shortfall in the production of housing supply increases the cost of housing for all Minnesotans, including the residents of our communities. Additionally, the acquisition of existing homes by institutional investors for use as income-generating rentals and the industry's shift toward more expensive single-family home construction diminish opportunities for affordable home ownership. These market forces are beyond the control of state and local governments and exacerbate the challenges of producing affordable housing and fostering home ownership.

MLC cities support policies that help increase the production of and access to affordable housing options across the housing continuum—from multi-family rentals to affordable market-entry home ownership opportunities. This encompasses targeted investments to close home ownership disparities among black, indigenous, and people of color (BIPOC) in our communities.

MLC continues to support exploring legislative and/or regulatory changes aimed at broadening Minnesotans' access to more affordable housing options across the housing continuum. Our association recognizes and encourages attention be paid to the shortage of “missing middle housing”—affordable housing and ownership opportunities that are “in the middle” of the housing continuum between medium/high-density apartment rentals and owner-occupied single-family homes. However, we oppose one-size fits all approaches which disrupt neighborhoods and have not demonstrated the production of more affordable housing. We look forward to working with stakeholders to address these critical housing needs.

MLC advocates for these specific policies and programs related to housing availability and affordability:

- I. Expanding investments in Naturally Occurring Affordable Housing (NOAH) preservation**
- II. Incenting local units of government to encourage development of additional “missing middle” housing options**
- III. Authorizing cities to implement strategies that would enhance production of additional affordable housing options**
- IV. Recognizing that land use decisions, such as zoning and regulatory controls, should be made at the local government level**



Infrastructure and Transportation Investments

According to 2020 census data, MLC cities combined are among the biggest job producing areas in the state with over half a million employees (530,660) compared to Minneapolis/St. Paul, with a total combined of 455,689 employees. Along with those jobs comes added congestion and demand on transit and roads in MLC cities and as a result, our association supports increased, regionally balanced, investments in transportation and infrastructure to maintain and grow our robust transportation network. We are also monitoring the Metropolitan Governance Task Force to determine our position on specific recommendations that group will make in January 2024.

MLC supports these specific infrastructure and transportation policies and programs:

I. Authority to Implement Infrastructure Fees

Many MLC cities continue to be among the fastest growing in the state of Minnesota. That growth is accompanied by incremental costs to infrastructure (i.e., water, sewer, parks, storm water, and roads). To facilitate continued orderly residential growth, it is essential that development fees are collected to ensure infrastructure meets the demand made by new development without shifting costs to existing residents.

Cities currently have the authority to impose fees on new development of other infrastructure such as water, sanitary, and storm sewer, as well as for park purposes. It is a logical extension to allow fees for public infrastructure such as road improvements necessitated by new development.

MLC supports: Authorizing local units of government to collect street infrastructure fees to offset the cost for safety and capacity improvements to collector road networks necessitated by new development.

II. Greenhouse Gas Emissions and Vehicle Miles Traveled Assessment Requirements on Trunk Highway Projects.

For all grade separation and capacity improvement projects on the trunk highway system that are not in the Statewide Transportation Improvement Program (STIP) or have not submitted a layout to the Minnesota Department of Transportation (MnDOT) for approval by February 2025, state statute requires assessments of greenhouse gas emissions and vehicle miles traveled. The law applies to capacity improvement projects with a cost of \$15 million or more in the metro area and \$5 million or more in Greater Minnesota. If the project is not in conformance with established greenhouse gas emissions and vehicle miles traveled reduction targets, there must be a change in the scope or design of the project, sufficient impact mitigation on the statewide system and a revised assessment. If these conditions are not met, the project must be halted and disallowed from inclusion in the STIP. The requirements in this law will significantly increase costs on important future highway expansion and interchange projects in Minnesota. Further, the law does not exempt projects that address safety needs or provide regional economic benefits.



MLC supports:

- a. The administration and management of this legislation on a programmatic, or statewide, level versus at the project level to best encourage investment in transit and other projects that provide the greatest return on investment while also not unduly burdening projects where mitigation efforts may not be as efficient or implementable
 - b. Removing the vehicle miles traveled assessments as a requirement when a project improves greenhouse gas emissions
 - c. Exempting new interchanges from both assessments when the project provides economic benefits and safety improvement projects aimed at reducing fatalities
- III. Passage of a robust, regionally balanced bonding bill that includes significant investments in suburban communities**

Property Tax Relief and Tax Policy

MLC supports local control including in the areas of taxes and fiscal policy. MLC cities believe strongly in the promotion of policies that bring greater stability and predictability in the fiscal relationship between the state and local units of government. We are also monitoring the Local Taxes Advisory Task Force to determine our position on specific recommendations that group will make in January 2024.

MLC supports these specific property tax relief and tax policies and programs:

- I. Supporting more frequent review of the Local Government Aid (LGA) program in recognition of the growing financial needs of cities in the state, including those who currently receive no LGA**
- II. Eliminating the moratorium on local sales tax authorizations**
- III. Supporting direct property tax relief through the Property Tax Refund and Renters Credit programs**
- IV. Simplifying the process for a sales tax exemption on construction materials for cities, counties, school districts, and other local governments**
- V. Preserving the integrity of the Fiscal Disparities Program by not removing revenue from the pool to pay for one-off legislative priorities**