

NEWSBRIEF



Date: May 20, 2016

To: Council & Senior Staff

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Metro Cities News

May 13, 2016

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Interim Ordinance Bill Passes House

On Wednesday, the House passed [HF 2585](#)-Nash, which limits cities' ability to use interim ordinances for housing related activity. The bill originally required that cities adopting an interim ordinance that related to housing pass the ordinance with a two-thirds majority. The bill was amended on the floor to remove the two-thirds vote requirement. The bill also originally required that a hearing to pass the ordinance be held within 30 days but was previously amended to require that a hearing be held within 10 days. The bill was also amended to only apply to statutory and home-rule charter cities (counties and townships were included in the original bill).

Metro Cities and the League of Minnesota Cities oppose this bill in its current form. Most changes to zoning ordinances require only a simple majority to pass. The legislation would also affect interim use ordinances that contain housing as well as other elements.

This bill has been laid over in the Senate ([SF 2694](#)-Franzen) and is currently in the State and Local Government Committee. It

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appears unlikely the bill will be heard in that committee this session. Questions? Please contact Steve Huser at steven@metrocitiesmn.org or by phone at 651-215-4003.

Metropolitan Governance Bill Passes Senate

SF 2385-Dibble was heard and passed on the Senate floor on Tuesday. The bill provides for staggered terms for Metropolitan Council members, an expanded nominating committee to 13 members with the appointment of three city and three county officials to the committee appointed by Metro Cities and the Association of MN Counties, and public notice requirements for a nominating committee's recommendations. Several amendments were considered. Senator Pratt-Prior Lake proposed that only elected officials would serve on the Metropolitan Council. Senator Dibble stated his opposition to the amendment, as elected officials would then serve multiple roles with potential contradictory interests. He also stated that prospective members would come from a narrow pool of candidates. The amendment was defeated.

A second amendment was put forward by Senator Pratt. This amendment proposed that other MPOs in Minnesota (Duluth, Moorhead, Mankato etc.) have the same appointment process as the Metropolitan Council. The amendment was ruled as not germane to the bill.

An amendment put forward by Senator Chamberlain proposed to prohibit SAC (sewer availability charges) for restaurants providing for outdoor seating capacity. He withdrew the amendment when Senator Torres Ray-St. Paul indicated that there are complications with simply deleting the charge and offered her own amendment that would require a stakeholder process for changing this fee by January 25th 2017, which prevailed. Metro Cities supports a stakeholder process for determining criteria rather than having any use criteria determined in statute and has received assurance from the Council that a group will be convened this summer (with or

without legislation). The bill passed on a 41-21 vote. Questions? Contact Patricia Nauman at 651-215-4002 or patricia@metrocitiesmn.org.

Transportation Conference Committee Meets

On Wednesday the Transportation Conference Committee discussed a House offer that was proposed to counter the Senate's initial offer from last week. The items contained in the offer are similar to what the House has proposed through their omnibus bill that is now in the conference committee. A significant provision in the offer is the House proposal to specifically tie transit funding in the metro area to Metropolitan Council governance changes. The changes proposed by the House include requiring local elected officials to be appointed to the Council, elected officials on the nominating committee that makes appointment recommendations to the Governor, staggered terms, and a commission to study governance. Metro Cities' policies support staggered terms and more transparency in the nominating committee process and oppose appointing local officials to the Met Council. When asked by Senator Dibble why there seemed to be little movement to the Senate position, Rep. Kelly explained that this offer was a response to the Senate's proposal for a gas tax increase that the House has said it will not accept.

The offer also proposed \$250 million in bonding for transportation projects. At this point, no omnibus bonding proposal has yet been put forward by the House.

Legislative leaders and Governor Dayton met briefly on Thursday afternoon to discuss transportation. All parties agreed to continue to work over the weekend and have said they plan to meet on Monday morning. In a press availability Friday morning, House Speaker Daudt and Majority Leader Peppin indicated they continue to support general fund money for roads and bridges, and that they disagreed with the Senate on a gas tax increase. The House legislative leaders, including Chair Kelly, agree that transit can be a part of a

compromise bill, but that do not believe there is public support for Southwest Light Rail.

Questions? Please contact Steve Huser at steven@metrocitiesmn.org or by phone at 651-215-4003.

Temporary Healthcare Dwellings Bill Passes House

The House passed **HF 2497**-Peterson that addresses temporary health care dwellings, or "drop homes" on Wednesday with a vote of 113 to 17.

The bill is intended to streamline local processes for placing temporary healthcare homes on private property. These homes are meant to be a temporary option for families to care for a sick loved one. The bill now allows for a municipality to opt out of this proposal by ordinance. The bill has been amended to incorporate the language adopted by the Senate last week. The concerns of Metro Cities and the League of MN Cities have been addressed with the current language of the bill.

Questions? Please contact Steve Huser at steven@metrocitiesmn.org or 651-215-4003.

Supplemental Budget Conference Committee Meets

The conference committee on the supplemental budget, **HF 2749**-Knoblach, met three times this week. The committee heard from nonpartisan legislative staff who walked through the **spreadsheet** Monday and the language side-by-side documents Tuesday and Wednesday. The committee did not meet Thursday or Friday. It is not yet clear whether the committee will meet this weekend.

Metro Cities issued a statement of positions of support and opposition on a range of items in the supplemental bill, consistent with the organization's policies, to the conferees on the committee. This includes support for funding for economic development and workforce development,

redevelopment grant program, housing programs and broadband grants. Metro Cities listed opposition to cuts to the Minnesota Investment Fund, Job Creation Fund, and Housing Challenge Program as well as policy language in the bill that would eliminate the Legislative Water Commission and create a ten-day notice before a city could impose an interim ordinance. The interim ordinance language also passed as a stand-alone bill; see the article in this newsletter for additional information.

Sunday Liquor Sales Amendment to Liquor Bill Fails

On Thursday, an amendment offered for **HF 3699**-Hoppe, the omnibus liquor bill, while it was on the House floor, proposed to lift the ban on Sunday liquor sales. This is an issue that has received considerable debate in recent years. Members debated different sides of this amendment, looking at the societal costs of drinking, the public's right to make purchases on Sundays, and the impact on local and small businesses. The amendment failed on a 56-70 vote.

Presentation by National Conference of State Legislatures

On Tuesday, the National Conference of State Legislatures presented research on joint budgeting target setting processes in other states to a joint meeting of the Senate Finance committee and House Ways and Means committee. Presenting for the NCSL were Fiscal Affairs program director Arturo Pérez and Fiscal Affairs policy associate Erica MacKellar. There was special focus on Utah, South Dakota, and Wisconsin; however, the research also looked at and compared the processes in Arizona, Iowa, Maine, Minnesota, North Dakota, and others.

The study looked at who has primary responsibility for developing state revenue forecasts in each state, who participates in the revenue development, how often the forecast is revised or updates, as well as if the revenue forecast binds the budget. The presenters also discussed the number of days each legislature in each state is in

session, and the part-time or full-time status of each legislature. Because this isn't a stark distinction the NCSL breaks categories of legislatures into green, gray, and gold. The green legislatures spend the most time in session, gray legislatures spend a moderate amount of time, and gold spends the least, qualifying for the most part as a part-time legislature. Minnesota falls into the gray category. Members asked questions about the budget target setting processes and how it corresponds to the number of days a legislature is in session, how the zero based budgeting process works, and its similarities to the sunset review process in Texas. Members also asked how states with set budgets adapt to crisis and questions about the budget situation in Illinois. Members requested that the NCSL continue to study the Minnesota legislature to offer other insights at a later time.

Follow-Up from March 2016 MCES Financial Forum

The Metropolitan Council Environmental Services Division (MCES) and Metro Cities hosted a financial forum for elected officials and managers/administrators to discuss MCES' budget processes and what MCES can do to improve relationships with their customers. Members were split into five teams to share ideas. Most teams expressed the desire for a "cheat sheet" or a summary of SAC charges, wastewater charges, as well as the history of charge rates. They expressed that this document should be short and referable for city officials. They also requested more communication between MCES and cities, including sharing meter data, and science connected to water and I/I, and overage fees. Teams stated that this communication should be transparent and inclusive in order to control costs and share information.

Many of the members voiced concerns about the transparency of rates especially. They requested information on best practices across cities and systems as well as comparisons between the projected rates and the national rates for I/I surcharges. An explanation of the fees for each city was also requested to compare

with this information. Members also requested that the website be enhanced to show online maps and clear links to information.

2016 MCES Municipal Customer Forums

The MCES Municipal Customer Forums are being held at the end of this month. These forums are yearly forums that provide MCES' preliminary budget and rates for the coming year. The MCES Municipal Customer Forums will be held:

Tuesday, May 24th
9-11AM
Metro Cities – 145 University Avenue West,
Saint Paul in the St. Croix Room

OR

Thursday, May 26th
2-4PM
Minnetonka City Hall – 14600 Minnetonka
Boulevard, Minnetonka in the Shady Oak
Room

Topics will include an MCES overview, a presentation of the preliminary 2017 budget and rates, MCES service drivers, service expectations, and an open Q&A for MCES representatives. Refreshments will be included at each forum. To RSVP for an event, please email Sara Haugen at sara.hauden@metc.state.mn.us and include a message indicating which forum you will be attending.

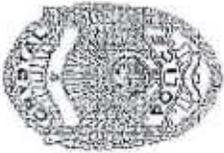
Bills of Note

HF 3998, Runbeck – Metropolitan area transit finance and policy governed, transportation planning required, funding recommendations to the legislature required, local option transportation sales tax requirements amended, account established, and technical and conforming changes made.

Crystal Arrest Report

Date Range: 05/11/2016 06:00:00 AM - 05/18/2016 06:00:00 AM

<u>Case Nbr</u>	<u>Juv</u>	<u>Last Name</u>	<u>First</u>	<u>Middle</u>	<u>Sex</u>	<u>Age</u>	<u>Date Arrested</u>
CYAR16-011015	N	TUEY	TIMOTHY	JAMES	M	24	05/12/2016 1:05 AM
Address: 2912 VALLE VISTA ST Statute: 169A-20-1-1 TRAF-DUI 4TH DEGREE							
CYAR16-011015	N	TUEY	TIMOTHY	JAMES	M	24	05/12/2016 1:05 AM
Address: 2912 VALLE VISTA ST Statute: 169A-20-1-5 TRAF-DUI 4TH DEG ALCOHOL CONC OVER .08 OR MORE W/I 2 HOURS							
CYAR16-011017	N	LALIBERTE	JANELLE	MARIE	F	37	05/12/2016 2:18 AM
Address: 7611 36 AV N Statute: 169A-20-1-5 TRAF-DUI 2ND DEG ALCOHOL CONC OVER .08 OR MORE W/I 2 HOURS							
CYAR16-011017	N	LALIBERTE	JANELLE	MARIE	F	37	05/12/2016 2:18 AM
Address: 7611 36 AV N Statute: 169A-20-1-1 TRAF-DUI 2ND DEGREE							
CYAR16-011017	N	LALIBERTE	JANELLE	MARIE	F	37	05/12/2016 2:18 AM
Address: 7611 36 AV N Statute: 169A-63 TRAF-DWI VEHICLE FORFEITURE							
CYAR16-011032	N	BOGUCKI	JAMES	FRANCIS	M	61	05/12/2016 11:13 AM
Address: 4103 BEARD AV N Statute: 171-24-5 TRAF-DRIVING AFTER CANCELLATION (IPS)							
CYAR16-011082	N	GONYEA	DOMINIQUE	MILEE	F	23	05/12/2016 11:45 PM
Address: 4024 WASHBURN AV N Statute: 169A-20-1-1 TRAF-DUI 2ND DEGREE							
CYAR16-011082	N	GONYEA	DOMINIQUE	MILEE	F	23	05/12/2016 11:45 PM
Address: 4024 WASHBURN AV N Statute: 169A-35-3 TRAF-OPEN BOTTLE-DRIVER/PASSENGER POSSESS							
CYAR16-011144	N	BEAL	JOHNITA	VALENDRIA	F	24	05/13/2016 8:32 PM
Address: 1360 HAMPSHIRE AV S Statute: MISWA MISC OFCR WARRANT ARREST							
CYAR16-011155	N	ALLEN	DAVID	CHRIST	M	31	05/13/2016 10:07 PM
Address: 4757 LOUISIANA AV N Statute: 169A-26-1-A TRAF-DWI-3RD DEG-DRIVING WHILE IMPARED; 1 AGGRAVATING FACTOR							
CYAR16-011155	N	ALLEN	DAVID	CHRIST	M	31	05/13/2016 10:07 PM
Address: 4757 LOUISIANA AV N Statute: 169A-20-1-5 TRAF-DUI 3RD DEG ALCOHOL CONC OVER .08 OR MORE W/I 2 HOURS							
CYAR16-011156	N	HUSAM	AL AIEDI		M	25	05/13/2016 11:43 PM
Address: 404 CENTRAL AVE NE Statute: 171-02-1-A DL-DRIVE WITHOUT A VALID LICENSE FOR VEHICLE CLASS OR TYPE							
CYAR16-011238	N	MALDONADO ZARCO	MARIA	GUADALUPE	F	34	05/15/2016 2:11 AM
Address: 19511 IBIS STREET NW Statute: 171-02-1-A DL-DRIVE WITHOUT A VALID LICENSE FOR VEHICLE CLASS OR TYPE							
CYAR16-011327	N	URVINA	RICHARD	JOSE	M	38	05/16/2016 1:22 AM
Address: 4519 VINCENT AV N Statute: 169A-26-1-A TRAF-DWI-3RD DEG-DRIVING WHILE IMPARED; 1 AGGRAVATING FACTOR							
CYAR16-011327	N	URVINA	RICHARD	JOSE	M	38	05/16/2016 1:22 AM
Address: 4519 VINCENT AV N Statute: 169A-20-1-1 TRAF-DUI 3RD DEGREE							



CRYSTAL POLICE DEPARTMENT MEDIA REPORT
CASE ACTIVITY: Previous 7 Days prior to

May 18, 2016 - 12:00:00 AM

CASE NO	LOCATION	OFFENSE	VALUE	PROPERTY DESCRIPTION	DATE OCCURRED
CY16-011194	56 AV N&CO RD 81	ACC-MOTOR VEH PROPERTY DAMAGE			05/14/2016 13:21
CY16-011261	57- WEST BROADWAY	CRIMINAL DAMAGE PROP.			05/15/2016 05:25
CY16-010991	40- IDAHO AV N	CRIMINAL DAMAGE PROP.			05/11/2016 12:45
CY16-011063	52- WEST BROADWAY	CRIMINAL DAMAGE VEH-TAMPERING			05/12/2016 18:50
CY16-011238	56 AV N&CO RD 81	DL-DRIVE WITHOUT A VALID LICENSE			05/15/2016 02:07
CY16-011465	31- DOUGLAS DR N	JUV			05/17/2016 00:00
CY16-011326	41- DOUGLAS DR N	MISC			05/15/2016 20:46
CY16-011116	61- 36 AV N	MISC			05/13/2016 12:38
CY16-011301	60- LAKELAND AV N	MISC			05/15/2016 20:36
CY16-011299	WEST 56 AV N	MISC			05/15/2016 20:41
CY16-010999	68- 56 AV N	THEFT-OTHER PROPERTY	600	CELL PHONE	05/11/2016 17:15
CY16-011272	55- WEST BROADWAY	THEFT-OTHER PROPERTY	400	400 DOLLARS US CURRENCY	05/14/2016 15:00
CY16-011194	56 AV N&CO RD 81	TRAF-ACC-HIT AND RUIN			05/14/2016 13:21
CY16-011238	56 AV N&CO RD 81	TRAF-DL-NO MN DL/WRONG CLASS			05/15/2016 02:07
CY16-011032	36 AV N&NOBLE AV N	TRAF-DRIVING AFTER CANCELLATION (IPS)			05/12/2016 11:05
CY16-011017	CORVALLIS AV N&WEST	TRAF-DUI 2ND DEG ALCOHOL CONC			05/12/2016 02:09
CY16-011017	CORVALLIS AV N&WEST	TRAF-DUI 2ND DEGREE			05/12/2016 02:09
CY16-011082	36 AV N TO SB	TRAF-DUI 2ND DEGREE			05/12/2016 23:34
CY16-011155	50 AV N&DOUGLAS DR N	TRAF-DUI 3RD DEGREE			05/13/2016 21:59
CY16-011015	SCOTT AV N&WILSHIRE	TRAF-DUI 4TH DEG ALCOHOL CONC			05/12/2016 00:46
CY16-011015	SCOTT AV N&WILSHIRE	TRAF-DUI 4TH DEGREE			05/12/2016 00:46
CY16-011017	CORVALLIS AV N&WEST	TRAF-DWI VEHICLE FORFEITURE			05/12/2016 02:09
CY16-011155	50 AV N&DOUGLAS DR N	TRAF-DWI-3RD DEG-DRIVING			05/13/2016 21:59
CY16-011155	50 AV N&DOUGLAS DR N	TRAF-DWI-OPERATE OHM/OVR ALCOHOL			05/13/2016 21:59
CY16-011082	36 AV N TO SB	TRAF-OPEN BOTTLE-DRIVER/PASSENGER			05/12/2016 23:34



May 13, 2016

Ten Days and Counting

As we draw near to the constitutional deadline for adjournment of the legislative session, all eyes have been on legislative leadership and Gov. Mark Dayton to negotiate an agreement on the major bills yet to be passed. Both the House and the Senate have been working on passing a comprehensive transportation funding plan, a tax package, a supplemental budget, and a capital investment (bonding) bill, but wide divides remain between the proposals of the two chambers.

A conference committee has been established to negotiate a supplemental budget bill, [HF 2749](#), and the committee members have been meeting throughout the week to discuss the differences between the House and Senate proposals. The Senate has increased spending for a number of its priorities, while the House has shifted money to maintain the same spending levels from last year's budget, reserving the \$900 million budget surplus for transportation and tax cuts, and possibly the bonding bill.

This week, Speaker of the House Kurt Daudt (R-Crown) was quoted as saying, "once a transportation bill has been figured out, [a

bonding and tax bill] will fall together," so much attention has been paid to the Transportation Conference Committee co-chaired by Sen. Scott Dibble (DFL-Minneapolis) and Rep. Tim Kelly (R-Red Wing). Both chambers have issued counter proposals to start negotiations, but work remains to be done. The House offered a proposal that would fund transportation projects by \$6 billion over 10 years through existing taxes on auto parts and fees, while using money from the budget surplus; it also included no funding for metro transit expansion. The Senate counterproposal included a reduction of its initial 16-cent wholesale gas tax by phasing in over three years a 12-cent per gallon gas tax increase, and would increase license tab fees and dedicate a 3/4-cent sales tax in the Metro area to fund transit projects.

While the Senate failed to pass its bonding bill off the floor last week, the House has yet to offer its version. Sen. Tom Bakk (DFL-Cook) and Gov. Dayton have stated publicly that they want the House to submit a proposal so that it can go to conference committee and begin negotiations. The bonding bill will likely remain a sticking point until the last days of session.

They said it:

"I will work over the weekend to present a compromise transportation proposal that I will present on Monday. It will be a true compromise, which I think is reachable this year."

– Gov. Mark Dayton

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Senate Passes Second Tax Bill

The House and Senate both passed a comprehensive tax relief package out of their respective chambers and met in a conference committee to work out the differences between the two bills. This week, the Senate passed a second omnibus tax bill with a number of changes that will also be incorporated into the tax conference committee that is currently meeting.

Highlights of the Senate's second tax bill include:

- 12 weeks of paid family leave offered by employers throughout the state;
- Property tax break for the potential St. Paul soccer stadium;
- Tax breaks to companies located in high unemployment areas that hire a majority of local residents;
- Tax breaks to companies that don't reveal an applicant's name on job applications.

The paid family leave portion of the bill, sponsored by Sen. Katie Sieben (DFL-Cottage Grove) would be paid for by employer taxes and employee payroll deductions. The soccer stadium provision is for a prospective Major League Soccer team to locate to the Midway neighborhood in St. Paul. The bill was passed off the Senate floor and will go to the tax conference committee that has already been created.

House Votes "No" on Sunday Liquor Sales

Legalizing Sunday liquor sales has been a perennial issue at the capitol, and this week the House voted on an amendment to the omnibus liquor policy bill that would have repealed the law forbidding Sunday sales. The vote

margin has narrowed over the years, but after an hour-long debate, with members from both parties voting yes and no, the amendment failed to be adopted on a vote of 59 in favor with 70 opposed.

PRINCE Bill Would Protect his Estate

Current state law does not address the issue of whether someone's right to control the commercial use of their name continues after death. The likely heirs of Prince's estate have been active at the capitol this week imploring legislators to pass a bill that would protect artists' rights to control the use of their name, voice, signature, photo and likeness as well as other intellectual property, even after the artist has passed away. The legislature has proposed a law that would protect those rights by making a person civilly liable for knowingly using those assets without receiving permission prior to the usage. The law would take effect on August 1, and would protect anyone who passed away before that date.

Governor's Fishing Opener

This weekend is an annual tradition among legislators, as they head up north for the Governor's Fishing Opener, which will take place on Big Sandy Lake. This will be another opportunity for Senate Majority Leader Tom Bakk, Speaker of the House Kurt Daudt, and Gov. Dayton to negotiate a compromise on the remaining major issues with only one last week before the constitutional deadline for session on Monday, May 23. You can visit the [Governor's Fishing Opener website](#) for more details on the event.

CITIES BULLETIN



Issue 49

May 16, 2016

Full House to Hear Body Camera Bill Today

The League is urging the House to pass the bill, which addresses data practices and more.



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Featured Events

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June 14-17—St. Paul

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2016 Clerks' Orientation Conference
Aug. 2-4—St. Paul

In Other News

Will Legislators Finalize Major Bills On Time?

With only one week left of the 2016 legislative session, legislators still have a lot of work to do on transportation, taxes, and capital project funding.

Senate Approves Second Tax Bill

The bill includes many provisions of interest to cities. Meanwhile, the tax conference committee has yet to meet.

Temporary Dwelling Legislation Becomes Law

Cities may opt out of permitting temporary family dwellings, but they must pass an ordinance to do so.

Wastewater Nutrient Treatment Bill Signed by Governor

With this law, cities gain a new incentive for having a biological treatment system for the removal of phosphorus and nitrogen/nitrates at wastewater treatment plants.

State Revenue Collections Exceed Forecast in April

The April collections reverse a short downturn in revenues for February and March.

Applications to Serve on LMC Board Due May 27

League members will elect new officers and directors at the Annual Conference in June.

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LMC Business Alliance members provide valuable financial support to the League and help support our mission to serve Minnesota cities.

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Full House to Hear Body Camera Bill Today



The League is urging the House to pass the bill, which addresses data practices and more.

SF 498 (*Link to: https://www.revisor.mn.gov/pages/doctypes/bills/text.php?number=SF498&version=2&session=ls89&session_year=2016&session_number=0&type=ue*)

(**Rep. Tony Cornish** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=10757>*), R-Vernon Center), a bill establishing requirements for the use of police-worn body cameras, will be heard by the full House today, May 16. The Senate passed the bill on May 2 with a vote of 47-14.

Last week, the **House Civil Law and Data Practices Committee** (*Link to: <http://www.house.leg.state.mn.us/cmte/Home/?comm=89005>*)

adopted a delete-everything amendment, and there are some differences between the House and Senate versions of the bill.

The League has sent **letters of support** (*Link to: http://www.lmc.org/media/document/1/bodycams_letter2.pdf*) during the committee process and will have a letter of support for the House floor debate.

The following are some highlights from the House bill.

Body camera data is private data ... most of the time

The House bill classifies body camera data as private or nonpublic data outside of criminal investigative situations. However, body camera data is public (1) in a use-of-force situation that results in substantial bodily harm or (2) if a subject of the data requests the data to be made accessible to the public.

Officer is data subject, but can't redact if on duty

On May 10, there was extensive discussion and confusion in the House Civil Law and Data Practices Committee as to whether officers could be redacted from body camera recordings. The confusion came because the House bill (and Senate bill) provides that officers are considered subjects of the data. Generally, data subjects would have the right to be redacted from the recordings. This was not the intent of the author or proponents, so there was an author's amendment in the **House Committee on Public Safety and Crime Prevention** (*Link to: <http://www.house.leg.state.mn.us/cmte/Home/?comm=89019>*)

the next day. Now, the House bill includes a provision that on-duty officers may not be redacted from body camera recordings.

Officer review

Similar to the Senate language, the House bill requires that officers be able to review body camera recordings before completing a final report or incident statement. This was a controversial issue for community testifiers, who believed

that officers should complete their reports without review of the recordings.

Retention period

Active or inactive criminal investigative data would need to be kept for the longer of (1) any applicable statute of limitations or (2) 180 days after the investigation becomes inactive. Any not active or inactive criminal investigative data would need to be retained for at least 90 days and destroyed within 12 months.

Other requirements include the following:

- Certain data related to body cameras and their use would be public.
- Public comment would be required before implementation of body cameras and adoption of written policies.
- Written policies would need to address when notice must be given; when recording is mandatory, prohibited, or at officer discretion; when a recording may end while an investigation, response, or incident is ongoing, etc.
- A biennial audit by the city council would be required.

Next steps

If the House passes this bill, the Senate will not likely concur, given the differences between the two bills, so the bill will likely go to conference committee. **(Read about the Senate bill.** *(Link to: <http://www.lmc.org/page/1/BodyCamLegislationUpdate.jsp>)*)

For the latest

After the full House votes on the bill, the League will let members know the outcome with a *Capitol Updates* article. **Sign up for Capitol Updates.** *(Link to: <http://www.lmc.org/page/1/cities-bulletin.jsp>)*

Your help needed

Contact your legislator *(Link to: <http://www.gis.leg.mn/i/Maps/districts/>)* to encourage state guidance on body cameras.

Talking points:

- Cities need guidance on the complicated data practices implications of body-worn cameras. There are many cities that will not implement body cameras without action from the state Legislature first. The House bill properly balances the privacy rights of citizens, transparency, and law enforcement accountability.
- The state Legislature has been talking about body cameras since 2013. It is imperative that the Legislature pass a body camera bill this session. Law enforcement agencies have been waiting too long for the state Legislature to act.

For information about the Senate version of this bill, read a previous ***Cities Bulletin*** **article** (*Link to: <http://www.lmc.org/page/1/BodyCamLegislationUpdate.jsp>*).

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*).

Will Legislators Finalize Major Bills On Time?



With only one week left of the 2016 legislative session, legislators still have a lot of work to do on transportation, taxes, and capital project funding.

(Published May 16, 2016)

With less than a week remaining in the 2016 regular legislative session, legislators have still not come to any agreements on three major bills—a long-term transportation funding package, an omnibus tax bill, and a capital projects funding package.

In addition, the conference committee on the supplemental budget has done little more than review the House and Senate positions.

Given this situation, it is still uncertain whether legislators will complete their work on time. Here is a summary of the status of the four major bills.

Transportation

The conference committee on the omnibus transportation bill, **HF 4** (*Link to: https://www.revisor.mn.gov/bills/text.php?number=HF4&version=3&session=ls89&session_year=2015&session_number=0*) (House: third engrossment)/ **HF 4** (*Link to: https://www.revisor.mn.gov/bills/text.php?number=HF4&version=3&session=ls89&session_year=2015&session_number=0&type=ue*) (Senate: third unofficial

engrossment), has met a few times this session and conferees each brought forward one counterproposal. Although both the House and Senate majorities agree that the state must invest in transportation infrastructure, the source of additional funding is one of the major sticking points. The Senate supports a gas tax and tab fee increase, and the House is focusing on dedication of current general fund revenues to roads.

The recent counteroffer came from the House conferees. It showed little movement toward a compromise position with the DFL-led Senate, continuing to rely heavily on a shift of motor vehicle-related sales tax revenues from the state's general fund toward road and bridge projects, as well as using one-time dollars from the state's projected \$900 million budget surplus.

It also proposes no new dollars for metro area transit, tying any future funding increases to major changes to Metropolitan Council and transit governance. (**Read about the most recent Senate offer.** (*Link to: <http://www.lmc.org/page/1/TransportationUpdate.jsp>*))

Late in the day on May 12, Gov. Dayton and legislative leaders emerged from what appeared to be their final negotiations for the week. They indicated optimism that a deal on transportation could be reached by early the week of May 16.

The transportation conferees are:

Representatives:

Tim Kelly (R-Red Wing), John Petersburg (R-Waseca), Tim Sanders (R-Blaine), Jeff Howe (R-Rockville) and Ron Erhardt (DFL-Edina)

Senators:

Scott Dibble (DFL-Minneapolis), Susan Kent (DFL-Woodbury), Vicki Jensen (DFL-Owatonna), Melisa Franzen (DFL-Edina), and Matt Schmit (DFL-Red Wing)

Taxes

The conference committee on last year's omnibus tax bill (**HF 848** (Link to:

https://www.revisor.mn.gov/bills/text.php?number=HF0848&session=1s89&version=list&session_number=0&session_year=2015

[House: third engrossment]/**HF 848** (Link to: [https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF848&version=1&session=1s89&session_year=2015&session_number=0&type=ue)

number=HF848&version=1&session=1s89&session_year=2015&session_number=0&type=ue) [Senate: first unofficial engrossment]) has yet to meet this session. The House and Senate tax bills are significantly different in size and scope. The 2015 House tax bill included a net of \$2.27 billion in one-time and permanent tax cuts for the fiscal year 2016-2017 biennium, while the Senate tax bill included \$460.9 million in tax cuts and tax-related expenditure increases for the biennium.

Those bills were developed when the state budget surplus was estimated to be nearly \$1.9 billion. With the revised February state budget forecast, the surplus has been reduced to \$900 million, and the House and Senate tax bills will almost certainly need to be adjusted to reflect the revised budget forecast.

The tax conferees are:

Representatives:

Greg Davids (R-Preston), Steve Drazkowski (R-Mazeppa), Bob Barrett (R-Lindstrom), Chris Swedzinski (R-Ghent) and Gene Pelowski (DFL-Winona).

Senators:

Rod Skoe (DFL-Clearbrook), Ann Rest (DFL-New Hope), Lyle Koenen (DFL-Clara City), Kari Dziejcz (DFL-Minneapolis) and Paul Gazelka (R-Nisswa).

Since last week, the Senate has now approved a second tax bill, **HF 3931** (Link to:

[https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF3931&version=2&session=1s89&session_year=2016&session_number=0&type=ue)

number=HF3931&version=2&session=1s89&session_year=2016&session_number=0&type=ue), comprised of new tax provisions heard in committee this year. **Read about the items of interest to cities included in this bill.** (Link to: <http://www.lmc.org/page/1/SecondTaxBill.jsp>)

Bonding

The Senate last week completed committee work on its version of the bonding bill, **HF 3467** ([Link to: https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF3467&version=2&session=ls89&session_year=2016&session_number=0&type=ue)

[number=HF3467&version=2&session=ls89&session_year=2016&session_number=0&type=ue](https://www.revisor.mn.gov/bills/text.php?number=HF3467&version=2&session=ls89&session_year=2016&session_number=0&type=ue)) (Second unofficial engrossment), which included a total of \$1.8 billion in capital project funding only to see the bill fail to receive the three-fifths vote (41 votes) necessary for final passage on the Senate floor by one vote (**see related article** ([Link to: http://www.lmc.org/page/1/SenateBondingUpdate.jsp](http://www.lmc.org/page/1/SenateBondingUpdate.jsp))). The House has yet to release details on its bonding bill recommendations, which House leaders initially announced will include roughly \$600 million in capital projects.

Despite the failure of the bonding bill on the Senate floor, we expect the Senate to reconsider a modified bonding bill and we expect the House to release its version of the bonding bill in the near future. If the House can secure the necessary three-fifths vote (81 votes) for final passage, the bill will be sent to the Senate, where it will almost certainly be amended—assuming there is enough time remaining in the session to conferee a bill.

Supplemental budget

The conference committee negotiating the differences between the House and Senate versions of the supplemental budget bills has met several times to review the provisions in the two bills, but has made little progress in reaching a compromise.

The House supplemental budget is contained in a set of three bills: **HF 2749** ([Link to: https://www.revisor.mn.gov/bills/text.php?number=HF2749&session=ls89&version=list&session_number=0&session_year=2016](https://www.revisor.mn.gov/bills/text.php?number=HF2749&session=ls89&version=list&session_number=0&session_year=2016))

(Rep. Jim Knoblach, R-St. Cloud), which includes K-12 and higher education; **HF**

3931 ([Link to: https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF3931&session=ls89&version=list&session_number=0&session_year=2016)

[number=HF3931&session=ls89&version=list&session_number=0&session_year=2016](https://www.revisor.mn.gov/bills/text.php?number=HF3931&session=ls89&version=list&session_number=0&session_year=2016)) (Rep. Pat Garofalo, R-

Farmington), which includes agriculture, environment and natural resources, employment and economic development, and energy; and finally, **HF 3467** ([Link to: https://www.revisor.mn.gov/bills/text.php?number=HF3467&session=ls89&version=list&session_number=0&session_year=2016](https://www.revisor.mn.gov/bills/text.php?number=HF3467&session=ls89&version=list&session_number=0&session_year=2016))

(Rep. Matt Dean, R-Dellwood), which includes health and human services, state

government, and public safety.

The Senate version of the supplemental budget bill, the first unofficial engrossment of **HF 2749** ([Link to: https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF2749&session=ls89&version=list&session_number=0&session_year=2016)

[number=HF2749&session=ls89&version=list&session_number=0&session_year=2016](https://www.revisor.mn.gov/bills/text.php?number=HF2749&session=ls89&version=list&session_number=0&session_year=2016)), is a 619-page bill that combines all of the supplemental budget bills into one major bill.

The conferees on the bill are:
Representatives:

Jim Knoblach (R-St. Cloud), Jenifer Loon (R-Eden Prairie), Pat Garofalo (R-Farmington); Matt Dean (R-Dellwood) and Denny McNamara (R-Hastings).

Senators:

Richard Cohen (DFL-St. Paul), Chuck Wiger (DFL-Maplewood), Tony Lourey (DFL-Kerrick), Tom Saxhaug (DFL-Grand Rapids) and Michelle Fischbach (R-Paynesville)

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

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Senate Approves Second Tax Bill



The bill includes many provisions of interest to cities. Meanwhile, the tax conference committee has yet to meet.

(Published May 16, 2016)

The conference committee on last year's omnibus tax bill (**HF 848** *(Link to: <https://www.revisor.mn.gov/bills/bill.php?f=HF848&b=house&y=2016&ssn=0>)*) has yet to meet this session, but in the last week, the Senate approved a second tax bill, **HF 3931** *(Link to: https://www.revisor.mn.gov/bills/text.php?number=HF3931&version=2&session=ls89&session_year=2016&session_number=0&type=ue)* , comprised of new tax provisions heard in committee this year. **(Read related article that includes information about the omnibus tax bill.** *(Link to: <http://www.lmc.org/page/1/TwoWeeksLeft.jsp>)*)

(Link to: https://www.revisor.mn.gov/bills/text.php?number=HF3931&version=2&session=ls89&session_year=2016&session_number=0&type=ue) , comprised of new tax provisions heard in committee this year. **(Read related article that includes information about the omnibus tax bill.** *(Link to: <http://www.lmc.org/page/1/TwoWeeksLeft.jsp>)*)

(Read related article that includes information about the omnibus tax bill. *(Link to: <http://www.lmc.org/page/1/TwoWeeksLeft.jsp>)*)

The bill contains several items of interest to cities, including:

- **Paid family leave**—creates a statewide insurance program similar to unemployment insurance that would be funded through a tax assessed equally on employees and employers. Employees working for employers with 21 or more employees could apply for up to 12 weeks of paid leave a year. The program is to be administered by the Department of Employment and Economic Development under a new division created for that purpose.
- **Federal income tax conformity**—includes a number of federal income tax conformity provisions.
- **Remote seller sales tax collection and remittance requirements**—expands nexus for purposes of triggering collection and remittance of sales tax for remote sales transactions, and modifies collection, remittance and reporting requirements for sellers.
- **Madelia sales tax exemption**—authorizes a sales tax exemption for building materials, equipment, and supplies for constructing or replacing real property in Madelia affected by the Feb. 3, 2016, fire.
- **Sales tax exemption for materials used in construction of a proposed siding production facility**—authorizes a sales tax exemption for building materials and supplies for constructing a proposed siding facility in Northern Minnesota.
- **Job creation zone state general tax refund**—provides a mechanism for a refund of the state general property tax for certain eligible businesses in “job creation zones,” which is defined as an area including one or more contiguous census tracts where the unemployment rate average is at least 75 percent higher than the statewide average unemployment rate as estimated by the U.S. Census Bureau.

- **Riparian protection aid**—appropriates \$10 million for aids payable in 2017 and thereafter to counties to enforce and implement the riparian protection and water quality practices.
- **Tax increment financing (TIF) provisions**—includes versions of TIF requests for the cities of Burnsville, Maple Grove, Anoka, and Northfield, as well as an extension of the local approval requirement for an Edina special TIF law.
- **Cloquet area fire and ambulance special taxing district**—modifies special laws relating to the Cloquet area fire and ambulance special taxing district by clarifying the district's ability to incur debt.
- **Cook/Orr hospital district**—modifies the use of levy proceeds for the Cook/Orr hospital district by allowing levy proceeds to be used for administrative, operation, or salary expenses for the Cook ambulance service and the Orr ambulance service.

The bill did not include the League-supported reversal of last year's delay in the sales tax exemption for joint powers entities, economic development authorities, housing and redevelopment authorities, port authorities, and other special taxing districts.

With the approval of HF 3931 on the Senate floor, the provisions included in the bill are expected to be merged into the Senate position on last year's omnibus tax bill, **HF 848** ([Link to: https://www.revisor.mn.gov/bills/text.php?](https://www.revisor.mn.gov/bills/text.php?number=HF848&version=1&session=1s89&session_year=2015&session_number=0&type=ue)

[number=HF848&version=1&session=1s89&session_year=2015&session_number=0&type=ue](https://www.revisor.mn.gov/bills/text.php?number=HF848&version=1&session=1s89&session_year=2015&session_number=0&type=ue)) (the 1st unofficial engrossment) when the tax conference committee convenes. The House has not yet processed a second tax bill.

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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Temporary Dwelling Legislation Becomes Law



Cities may opt out of permitting temporary family dwellings, but they must pass an ordinance to do so.

(Published May 16, 2016)

A bill creating a new process for local governments to permit certain types of recreational vehicles as temporary family dwellings was signed into law by Gov.

Dayton on May 12. **Chapter 111** (*Link to: [https://www.revisor.mn.gov/laws/?](https://www.revisor.mn.gov/laws/?year=2016&type=0&doctype=Chapter&id=111)*

year=2016&type=0&doctype=Chapter&id=111) (SF 2555, **Sen. John Hoffman** (*Link to:*

http://www.senate.mn/members/member_bio.php?mem_id=1205), DFL-Champlain, and **Rep. Roz Peterson**

(*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=15442>*), R-Burnsville) previously passed the

House floor on a vote of 113-17.

Purpose of the law

The main stated motivation behind the new law is to provide transitional housing for seniors. For example, if a family wanted to keep a close eye on grandma while she recuperates from surgery, they could have grandma stay in a temporary family health care dwelling in the yard or driveway.

The law has a broader effect than that, however, with anyone who needs assistance with two or more “instrumental activities of daily life” for mental or physical reasons eligible to be housed in this manner.

Summary of changes

The League worked extensively with the authors and proponents and with other local government organizations throughout the legislative process to craft a law that is manageable for cities and counties.

Local governments may opt out of this program if they determine that this type of expedited land use permitting for temporary dwellings is not well-suited to their community. Many communities have communicated that property owners in their jurisdiction have adequate access to a permit for this type of use through existing local land use controls and permitting authority.

Cities must pass ordinance to opt out

To be clear, unless a city chooses not to participate in this program by passing an ordinance specifically opting out, the law will require the city to issue permits to qualified applicants starting on Sept. 1, 2016. A permit can be denied for appropriate cause. The law lists the information required and the requirements that may be considered in that decision.

The final act has the following key components:

- Creates a new type of permit referred to as a temporary dwelling permit that has a six-month duration, with an option to extend the permit for six months.
- Requires that the permit be for a property where the caregiver or relative resides.
- Allows modular and manufactured housing (instead of just recreational vehicles) to use this permit process as long as the unit meets all of the listed criteria.
- Lists the criteria for the structure and the information required in the permit application.
- Addresses sewer safety issues with required backflow valves and advance verification of septic service contracts.
- Requires the inclusion of site maps showing where the unit will be placed and notification of adjacent neighbors prior to application.
- Requires applications to specify the individual authorized to live in the unit.
- Applies the permit approval process found in **Minnesota Statutes, section 15.99** ([Link to: https://www.revisor.mn.gov/statutes/?id=15.99](https://www.revisor.mn.gov/statutes/?id=15.99)), but allows the local government unit only 15 days to make a decision on granting the permit (no extension). It waives the public hearing requirement and allows the clock to be restarted if an application is deemed incomplete, as long as the applicant is notified of how the application is incomplete within five days. A 30-day decision is allowed if the regular council meeting occurs only once a month.
- Requires unit placement to meet existing stormwater, shoreland, setback, and easement requirements. A permit exempts the units only from accessory unit ordinances and recreational vehicle parking and storage ordinances.
- Sets a default permit fee level that may be replaced by a local ordinance.
- Allows cities to pass an ordinance opting out of using this new permitting system.

A complete review of the provisions of the new law will be included in the League's *2016 Law Summaries* in June.

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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Wastewater Nutrient Treatment Bill Signed by Governor



With this law, cities gain a new incentive for having a biological treatment system for the removal of phosphorus and nitrogen/nitrates at wastewater treatment plants.

(Published May 16, 2016)

A new state program that would reward cities and industries for installing biological treatment for nutrients at city wastewater treatment facilities passed the House on a vote of 105-23, and was signed into law by Gov. Dayton on May 12.

Chapter 104 ([Link to: https://www.revisor.mn.gov/laws/?year=2016&type=0&doctype=Chapter&id=104](https://www.revisor.mn.gov/laws/?year=2016&type=0&doctype=Chapter&id=104)) (SF 3272, **Sen. John Marty** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1035](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1035)), DFL-Roseville, and **Rep. Dan Fabian** ([Link to: http://www.house.leg.state.mn.us/members/members.asp?id=15346](http://www.house.leg.state.mn.us/members/members.asp?id=15346)), R-Roseau) allows a city or industrial wastewater treatment system to be rewarded if it voluntarily implements a biological treatment system for the removal of phosphorus, nitrogen, and nitrates. The incentive is “regulatory certainty.” In other words, the facility would not be asked to meet a more stringent standard on those pollutants for the life of that infrastructure investment, up to 20 years.

The city may be eligible for this benefit if it chooses to implement such a system prior to the state adopting a nitrogen/nitrate standard or until Dec. 31, 2031, whichever comes first. A facility that already uses biological systems to remove phosphorus would also be eligible if it is willing to add nitrogen and nitrate treatment.

In addition to the stability this provides for local utility financing and planning, this law will also allow the state to benefit from a significant reduction in municipal nitrate and nitrogen discharges to Minnesota lakes and rivers prior to new state standards being finalized, which is still a number of years from occurring.

The Minnesota Pollution Control Agency will now begin designing the application process and criteria for facilities to enter this program and seek final approval of it from the federal government.

For more background information on this bill, read a previous *Cities Bulletin* **article** ([Link to: http://www.lmc.org/page/1/NutrientStandards.jsp](http://www.lmc.org/page/1/NutrientStandards.jsp)).

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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State Revenue Collections Exceed Forecast in April



The April collections reverse a short downturn in revenues for February and March.

(Published May 16, 2016)

Minnesota Management and Budget (MMB) last week released the last revenue collection update before the end of the 2016 regular legislative session. According to the report, Minnesota's net general fund revenues totaled \$2.49 billion in April, which was \$169 million (7.3 percent) more than the projection in the **February 2016 Budget and Economic Forecast** ([Link to: http://www.lmc.org/page/1/FebForecast2016.jsp](http://www.lmc.org/page/1/FebForecast2016.jsp)).

The report will add another informational data point to the discussions on the four major remaining bills—the supplemental budget, the omnibus transportation funding bill, the omnibus tax bill, and the bonding bill—which may or may not be processed before the Legislature adjourns. However, the collection report does not change the underlying February budget forecast assumptions or the projected \$900 million surplus that will guide the final negotiations on these bills.

All major tax collections exceed forecast

The April collections reverse a short downturn in revenues for February and March. Net receipts for all major taxes exceeded the forecast levels. Individual income tax collections were \$91 million (5.4 percent) above forecast; general sales tax collections were \$13 million (3.2 percent) above forecast; and corporate franchise tax collections were \$39 million (37.1 percent) above forecast. All other revenues were \$39 million (27.1 percent) above forecast.

For fiscal year 2016, the year-to-date receipts are now \$16.78 billion, which is \$158 million (1 percent) more than forecast in February.

Results are preliminary

MMB cautions that all results are preliminary and subject to revision. In addition, the report notes that monthly revenue variances should be interpreted with caution due to the fact that wide swings in variances may be caused by variations in the rate at which receipts are received and processed and differences in the rate at which refunds are issued.

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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Applications to Serve on LMC Board Due May 27



League members will elect new officers and directors at the Annual Conference in June.

(Published)

Apply now to serve on the League of Minnesota Cities (LMC) Board of Directors and help to lead an organization that represents cities across the state.

Serving on the LMC Board of Directors is both an honor and responsibility. One of the League's strengths has always been its broad and diverse membership. Its ability to serve members' needs and exhibit leadership by anticipating and proactively addressing city challenges, hinges on having a Board of Directors that is representative, responsible, strategic, and visionary.

If you are interested in serving on the LMC Board, please review the Board's Governance Handbook before submitting an application to ensure you are aware of the roles and responsibilities. **The League of Minnesota Cities Governance Handbook (pdf)** (*Link to: <http://www.lmc.org/media/document/1/governancehandbookpdf.pdf>*) was developed by the Board in order to guide the manner in which Board business is conducted and to outline the values and expectations that drive Board service.

Board meetings are typically held during the day on the third Thursday of the month. In addition, this year's board planning retreat is scheduled for Sept. 14-16 in Red Wing. The League reimburses all direct expenses of Board members. Mileage is reimbursed at the current approved rate.

A Nominating Committee appointed by the League president will interview candidates on **June 14** at the LMC Annual Conference in **St. Paul**. The nominated candidates will be presented to members at the annual business meeting on **June 16**.

The committee considers the following factors when selecting nominees:

- Geographic representation
- City population
- Gender
- City position (appointed vs. elected)
- League experience and involvement

League members will elect a president, first vice president, second vice president, and six directors. If a current Board member is elected to an officer position, there would be one additional opening for a director position.

How to apply

An application packet is available by contacting Kellie Sundheim, LMC, at (651) 281-1214, (800) 925-1122, or ksundheim@lmc.org (Link to: <mailto:ksundheim@lmc.org>) . The deadline to submit an application is **May 27**.

Read the current issue of the Cities Bulletin (Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>)

Your LMC Resource

Interested in applying for the LMC Board of Directors?

Contact Kellie Sundheim

Assistant to the Executive Director
(651) 281-1214 or (800) 925-1122

ksundheim@lmc.org (Link to: <mailto:ksundheim@lmc.org>)

Help Select 2016 League Board

You can play an important role in the selection of new members of the 2016 League of Minnesota Cities (LMC) Board of Directors. Apply by **May 27** to be part of the Nominating Committee that determines board candidates worthy of serving the League and its more than 850 member cities.

LMC President Steve Nasby will appoint the Nominating Committee, made up of eight to 12 city officials, by May 31. The committee will consist of both elected and appointed officials with consideration given to gender, city size, and geography. The League reimburses Nominating Committee members for expenses incurred for serving on this committee.

If you are providing a letter of reference for an individual who plans to apply for the LMC Board of Directors, we ask that you refrain from applying to be on the Nominating Committee. This will ensure that no conflicts of interest arise during the process.

For those selected to be on the committee, there will be an hour-long conference call to provide information on the Nominating Committee process and guidelines for conducting the Board candidate interviews and deliberation process. That meeting is scheduled for 10:30 a.m. on June 7.

The committee will convene on **June 14** at the LMC Annual Conference in **St. Paul** in the early morning to interview candidates for the positions of president, first vice president, second vice president, and six director positions. The committee's recommendations will then be presented to the entire membership at the annual business meeting on June 16.

City officials interested in serving on the Nominating Committee should contact Kellie Sundheim, LMC, by **May 27** at (651) 281-1214, (800) 925-1122, or ksundheim@lmc.org (*Link to: <mailto:ksundheim@lmc.org>*).

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

Your LMC Resource

Interested in serving on the Nominating Committee?

Contact Kellie Sundheim

Assistant to the Executive Director

(651) 281-1214 or (800) 925-1122

ksundheim@lmc.org (*Link to: <mailto:ksundheim@lmc.org>*)

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League's Kevin Frazell Receives Special Recognition from MCMA

Kevin Frazell, member services director with the League, has been honored as the first-ever President's Award recipient by the Minnesota City and County Managers Association (MCMA). The award was established by the MCMA Board of Directors to formally recognize leadership and contributions to the association, and was presented by MCMA President Shauna Johnson at the association's recent Annual Conference in Nisswa.

Frazell has been associated with MCMA for more than 30 years as a member, past president, and current secretariat. According to Johnson, "Many know Kevin's passion for public service and his involvement with working with elected and appointed officials. There are very few things affecting local government in Minnesota that he hasn't been involved in." As part of his League duties, Frazell not only oversees training and conferences, but provides staff support to the Minnesota Mayors Association and serves as a liaison to the National League of Cities.

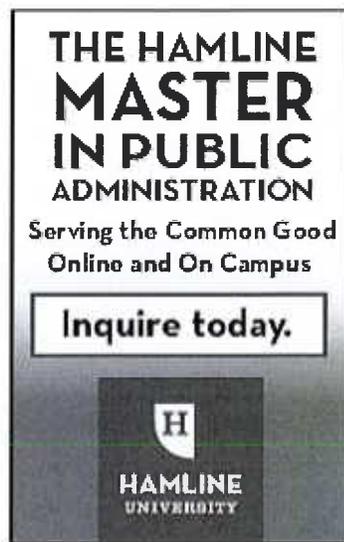
"There is no one in the city management profession who has established a track record like Kevin," said League Executive Director David Unmacht. "Kevin's contributions to local government span several decades and his energy, commitment, and creative personality make him sincerely worthy of this recognition."

About MCMA

MCMA ([Link to: http://www.mncma.org/](http://www.mncma.org/)) is the professional and educational organization for appointed management executives and assistants serving cities, counties, and other local governments in Minnesota. MCMA is a state association affiliate of the International City/County Management Association (ICMA), headquartered in Washington, D.C.

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

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([Link to: http://www.lmc.org/ads/102706](http://www.lmc.org/ads/102706))

EEOC Charges Now Sent Via Email—Watch Your Inbox!

The U.S. Equal Employment Opportunity Commission (EEOC) will now notify your city of a Charge of Employment Discrimination by email instead of U.S. mail. The change was effective on Jan. 1, 2016.

This notice provision applies to employers that have provided the EEOC with the email address for a designated contact. If there is no designated contact email, the EEOC will send a paper notice to the employer's address of record with instructions on how to access the discrimination charge online.

New online portal for handling discrimination charges

The EEOC has implemented a Digital Charge System (*Link to: <https://www.eeoc.gov/employers/act-digital-qanda.cfm>*) . By using a charge-specific password to access a secure online portal, employers can:

View and download the charge.

Receive and respond to invitations to mediate.

Submit Position Statements and Responses to Information Requests.

Provide and verify contact information and designate their legal representative.

Upload and download documents and have a more direct line of communication with the EEOC.

Educate your staff about EEOC's new system

Remember, employees or applicants who file charges often identify a specific department (e.g., police or parks department) rather than human resources or city administration as the employer representative. That means the EEOC may send the electronic or paper notice to someone other than the preferred city contact. Be sure to educate your city's departments and staff on the new EEOC system and remind them of the city's process for handling and responding to charges filed with the EEOC.

Notify LMCIT immediately of discrimination charges

If your city has property/casualty coverage provided by the League of Minnesota Cities Insurance Trust (LMCIT), you are covered for employment-related claims, including administrative employment discrimination charges made to the EEOC. Because of the limited time to respond to charges, please notify LMCIT immediately if your city receives notice of a charge.

Get more info about the Digital Charge System on the EEOC website (*Link to: <https://www.eeoc.gov/employers/act-digital-phase-1.cfm>*)

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

Your LMC Resource

LMCIT staff can answer your questions related to EEOC discrimination charges.

Connect with Property/Casualty staff (*Link to: <http://www.lmc.org/page/1/league-staff.jsp>*)
(choose "PC Claims" or "PC Legal" under "Department")

Meet our city vendors!

Questions About Land Use? Check Out the Land Use Training & Education Program

The Land Use Training and Education Program will kick off in June with basic planning and zoning workshops in three locations. This annual program is sponsored by GTS Educational Events and co-sponsored by the League and others.

Attend these workshops to get answers to a variety of questions about land use, including:

How does land use planning impact my job as an elected or appointed official?

What does sustainability mean and how can we apply sustainable principles to planning and zoning? *How does land use planning impact public health?

What do citizen planners and community members need to know about engaging in the planning process?

From basic to advanced content, to special and emerging topics, this program is designed to provide opportunities for elected and appointed officials, land use and zoning staff, the business community, community-based organizations, and concerned citizens from all geographies to engage in conversations and collaborative learning that will drive toward equitable and sustainable land use practices.

Workshops will be held throughout the year in various locations and will include practical content, opportunities for in-depth study and hands-on application, as well as handouts and reference materials.

Schedule of upcoming workshops:

The Basics of Planning and Zoning

June 16—Owatonna

June 28—Little Falls

June 30—St. Paul

Beyond the Basics of Planning & Zoning: Variances and More!

Sept. 1—St. Paul

Sept. 22—Little Falls

More workshops will be added to the schedule soon.

Learn more, register, and check for additional workshops (*Link to: <http://mngts.org/LandUse/>*)

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

Meet our city vendors!

MONDAY MAY 30, 2016

★★★★★ 1:00 PM ★★★★★

PRESENTED BY

Washburn McReavy

**GLEN HAVEN MEMORIAL GARDENS
AND FUNERAL CHAPEL**

5125 W Broadway, Crystal 763-533-8643

KEYNOTE SPEAKER:



George Lancaster

Recipient of the Bronze Star Medal and
Navy Commendation Medal from the
U.S. Marine Corps Reserve.

memorial day

**ADDITIONAL SPEAKERS
INCLUDE:**

Julie Deshler

City Council Member - Crystal

Lisa Sundberg

President - Women's Auxiliary

VFW Post 494

★★★★★

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OFFICIANT

Reverend Dr. Randy K. Taber

Olivet United Methodist Church

SPECIAL MUSIC BY:

The Minnesota Brassworks

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Metropolitan Council Community Development Committee Meeting

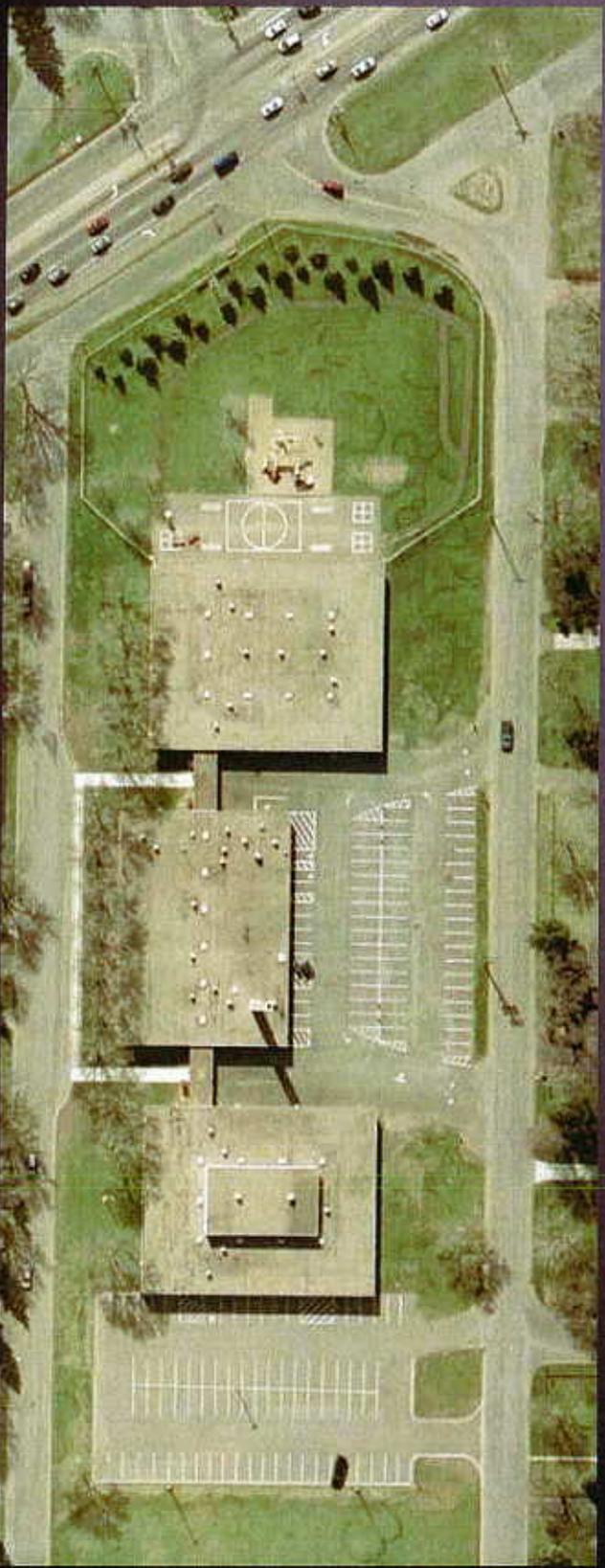
May 16, 2016



The Cavanagh Senior Apartments

What was there:

- Cavanagh Elementary School built in 1958 on 4.3 acre site
- Used for other school district purposes after 1976
- School district determined facility no longer needed in 2009
- City of Crystal EDA purchased from school district in 2012
- Demolition and site clearance completed in 2013



The Cavanagh Senior Apartments



How it happened - Financing

- Available increment from a TIF district elsewhere in city
- Metropolitan Council assistance for asbestos abatement
- Hennepin County assistance for demolition costs
- Low income housing tax credits and tax exempt bonds
- Developer equity & long-term ownership stake (Dominium)

\$ 950,000	City of Crystal EDA (TIF)
\$ 163,000	Hennepin County
\$ 153,000	Metropolitan Council (TBRA)
<hr/>	
\$ 1,266,000	City, county and metro government expenditures
\$23,500,000	Private investment (with government incentives)
\$24,766,000	Total project cost

The Cavanagh Senior Apartments



How it happened – Land Use & Zoning

- City zoning provided flexibility
 - Reduced parking requirements from 260 to 163
 - Increased height from three to four stories to reduce construction costs and minimize impervious coverage
 - Increased density from 22 to 30 units per acre (highest in Crystal to date)
- Major change for the neighborhood – from a one story school to a four story apartment building
- City and developer engaged the neighborhood early and often to build community acceptance

The Cavanagh Senior Apartments



What it means for the community

- 130 units of new affordable housing
- Frees up existing houses for young families
- Site will pay property taxes for first time in almost 60 years

Take-aways

- Demand was stronger than anticipated – this particular market niche may be very deep
- Financing is challenging - large gap between construction costs and affordable rents
- It is hard to gain community acceptance of higher density, but it can be done if the product and location are right

PUBLIC MEETING AND OPEN HOUSE

LRT visual screening between Bass Lake Road and 62nd Avenue

Tuesday, May 24, 2016

Becker Park Building Community Room

Located near 55th Avenue North and Douglas Drive in Crystal

Map: <https://goo.gl/maps/REtueuKBQGy>

Open House: 6:00–8:00 p.m.

Presentation by Blue Line Extension LRT project staff: 7:00 p.m.

The planned Blue Line Extension Light Rail Transit Project, in partnership with the City of Crystal, is hosting a meeting and open house regarding visual screening along the BNSF freight rail corridor between Bass Lake Road and 62nd Avenue.

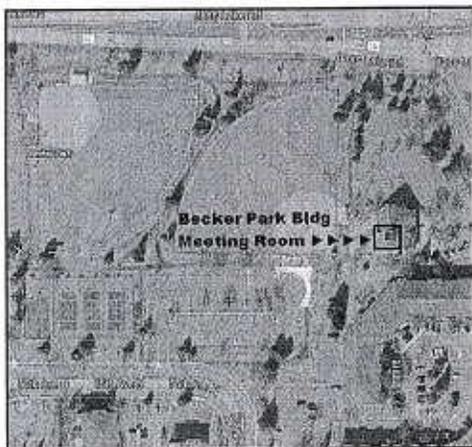
The planned Blue Line Extension LRT project will operate within the current BNSF railway corridor that runs parallel to County Road 81 (Bottineau Boulevard) north of Bass Lake Road. To address visual quality issues presented by the property owners of Elmhurst and Hampshire Avenues during the recent Municipal Consent approval process, the LRT project office has committed to investigating screening options between the rail corridor and the abutting properties to account for visual impacts that would occur as a result of LRT operations.

The goals for the open house are to:

- Provide information on visual screening options for properties along the planned LRT corridor between Bass Lake Road and 62nd Avenue.
- Receive feedback from property owners about possible screening options.

Property owners on the east side of Elmhurst and Hampshire Avenues between Bass Lake Road and 62nd Avenue are encouraged to attend this meeting to learn more about visual screening options and to provide feedback to project and city staff.

Can't make it to the meeting? Meeting materials will be posted on the project website, www.BlueLineExt.org.

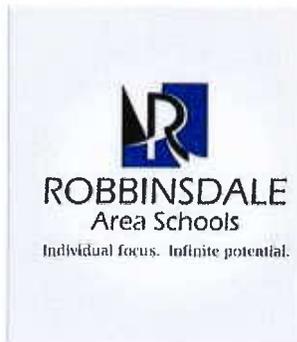


For more information or questions about this event, please contact David Davies at the Blue Line Extension project office: 612-373-5336 or David.Davies@metrotransit.org.



Anne Norris

From: Robbinsdale Area Schools [robbinsdaleareaschools@rdale.org]
Sent: Wednesday, May 18, 2016 5:41 PM
To: Anne Norris
Subject: Discover: the latest news updates from Robbinsdale Area Schools!



DISCOVER

ROBBINSDALE AREA SCHOOLS
COMMUNITY E-NEWSLETTER



Wednesday, May 18, 2016

Northport students to perform at the White House



Seven students from Northport Elementary School will be travelling to Washington, D.C., on Sunday to perform at the 2016 Turnaround Arts White House Talent Show! The talent show will take place at 2 p.m. Wednesday, May 25, and can be viewed online at <https://www.whitehouse.gov/live>. Click [here](#) to watch a video of the kids rehearsing!

Sonnesyn Elementary honored for PBIS work

Sonnesyn Elementary School has been recognized for the second year in a row by the Minnesota Department of Education for their successful work using Positive Behavioral Intervention and Supports (PBIS). PBIS is a data-driven program providing districts and individual schools throughout Minnesota with training and technical support to promote improvement in student behavior, especially for students with challenging social behaviors. The schools receiving recognition as "Sustaining Exemplar Schools" are leaders in supporting positive behavior, improving school climate and increasing student achievement. Well done, Sonnesyn!



Retirement Celebration is this Thursday

Please join us Thursday, May 19, at Plymouth Creek Center for Robbinsdale Area Schools' Retirement Celebration from 4-6 p.m. Hors d'oeuvres will be served beginning at 4 p.m., and the recognition program will start at 4:45 p.m. Celebration tickets are \$10, and can be purchased at your building's front desk or at the door.

Click [here](#) to see a list of this year's retirees!



Sixth-annual Relay for Life meets Saturday

Armstrong and Cooper High Schools are hosting their sixth-annual Relay For Life event benefiting the American Cancer Society from Saturday, May 21, to Sunday, May 22.

Event organizers are hoping to see at least one team from every building and/or program in our district participating in this wonderful community service event. [Here](#) is a link to the event home page.

Last year, our district raised \$58,337 for the American Cancer Society and its initiatives. Our district's goal is to raise at least \$65,000 this year.



St. Louis Park Spanish Immersion visits RSIS

St. Louis Park Spanish Immersion middle school students who are pen pals with RSIS students from three third-grade classes visited Robbinsdale Spanish Immersion School Thursday, May 12. The St. Louis Park students ate lunch and shared activities with RSIS students.

Click [here](#) to see more pictures!



State of the District Address video now online

Video of our State of the District Address event is now available online! In addition to remarks from Supt. Carlton D. Jenkins, School Board Chair Patsy Green and RFT President Peter Eckhoff, this event also featured performances from the Cooper Pep Band, Armstrong Chamber Singers, Cooper Step Team and Neill Elementary Fifth-Grade Singers.

Click [here](#) to see the video!



Legislative Wrap Up is Friday, June 3

The Legislative Action Coalition (LAC) is excited to host a Legislative Wrap Up session this year to look back on the 2016 Legislative Session and ahead to 2017. The Legislative Wrap Up meets from 7:30-9 a.m. Friday, June 3, at Sandburg Learning Center. Topics to be covered include:

- Overview of Legislative Session by Scott Croonquist, AMSD Executive Director
- Outcomes on the 2016 RAS Legislative Platform by LAC
- Comments by local legislators



Fine Arts News

Northport Elementary School will perform with VocalEssence ¡Cantaré! Community Concerts at Ordway Concert Hall at 6 and 8 p.m. Monday, May 23. From the VocalEssence website: "Northport Elementary School students have been practicing moving while singing. Composer Alephsus Valdés has written a song for them using iPads. "Máscaras" or "Masks" includes students covering and uncovering their faces with the tablets and switching back and forth between their own faces and the virtual masks." Click [here](#) to read more!



Also our Family Literacy program had an Art Show on May 16. Click [here](#) to see photos!

Upcoming arts events

Brad Shermock concert with Plymouth Middle School Jazz Band and the Armstrong Jazz Ensembles I and II, 7 p.m. Wednesday, May 18, at Armstrong High School. Cost to attend is \$7 for adults and \$4 for students and staff.

CHS Orchestra Concert, 7 p.m. Thursday, May 19, Cooper High School

FAIR 6-8 Grade Choir Concert, 7 p.m. Thursday, May 19, FAIR School Crystal

RMS 7th & 8th Grade Band Concert, 7 p.m. Thursday, May 19, Robbinsdale Middle School

Click [here](#) to view our arts calendar!

Concert Videos:

[Honors Orchestra and Best In Site Performances 3-14-16](#)

[CHS Choir Masterworks Concert 3-15-16](#)

[Arts Showcase-All District Band-Best of Site Concert](#)

[AHS 12th Annual Band Variety Show](#)

[Cooper Spring Jazz Concert-April 14](#)

[Rock Orchestra Concert-April 15th](#)

Commencement information

Our **Adult Academic Program** graduation ceremony will be at 7 p.m. Thursday, June 2, at Sandburg Learning Center.

Our **Robbinsdale Transition Center** Program graduation ceremony will be at 9:30 a.m. Thursday, June 2, at Sandburg Learning Center.

Our **Highview Alternative Program** students will graduate 9:30 a.m. Wednesday, June 8, at Sandburg Learning Center.

Our **Armstrong** and **Cooper** high school commencements will be at 7 p.m. Friday, June 10. We want to remind people that this year's commencements will be on a Friday.

Short Items

The **Bam Bam Grand Slam home run derby** will meet 11 a.m. to 3 p.m. Saturday, May 28, at the Zachary Lane playfield. This is a community-wide baseball home run derby in honor of Kevin Messer. Buy some hits and smash the ball out of the park to win a cash prize! All money raised will be donated to the Kevin Messer Memorial Fund and distributed to the athletic departments at Armstrong, Cooper and Osseo high schools. Click [here](#) for more!

Hennepin County Library Special Collections recently received a donation of a nearly complete run of **Cooper High School yearbooks** from the Robbinsdale-Cooper Alumni Association. It's fascinating to look back over the five-decades of the school's history to see how styles, trends, school clubs, sports and curricula change. The library now has more than 400 suburban yearbooks from cities across Hennepin County, and a complete list can be viewed [here](#).

School Board news

The School Board will meet **Monday, June 6**, for a 5:30 p.m. business meeting followed by a 6:15 p.m. work session. Follow us on Twitter and Facebook to get important votes and other news live during the regular and business meetings. For more School Board news, click on Minutes, Podcast and Webcast below.

School Board Resources:

- [Agenda](#)
- [Calendar](#)
- [Minutes, Podcast and Webcast](#)

STAY CONNECTED:



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2016 Weekly Update #10

May 13, 2016

Metropolitan Council Term Modifications

On Tuesday, May 10, the Senate passed (41-21) [S.F. 2385](#)-Dibble (H.F. 2467-Albright). The bill implements various reforms to the Met Council governance structure. The legislation provides for Met Council members to serve four year staggered terms, creates avenues for more citizen input on member selection, and requires a nomination committee to recommend three finalists for each council seat for the Governor’s approval. Senator Rest voted for the bill. Various reforms have been proposed over the years and have all been vetoed by the sitting governor.



On Monday, Senator Rest had the opportunity to meet with players from the MN United soccer team as they held a practice session on the plaza of the Minnesota Senate Building. The Senate supplemental tax bill includes a property tax exemption for the proposed site of a new stadium for the team in St. Paul. *Photo Courtesy of Senator Rest.*

REAL ID Act Implementation

Legislation allowing the Department of Public Safety (DPS) to comply with the federal REAL ID Act was passed by the Senate on Thursday, May 12. The bill, [S.F. 3589](#)- Dibble (H.F. 3959-Smith), is the second REAL ID proposal passed by the Senate this session. The first bill repealed the prohibition on DPS from planning for compliance, while the new legislation allows the department to actually take the necessary steps for implementation. REAL ID driver licenses and ID cards would be available by Jan. 1, 2018. The legislation allows Minnesotans to request a noncompliant license as

Supplemental Tax Omnibus Bill

The Tax Committee released its supplemental omnibus tax bill this week by offering a delete-all amendment to [H.F. 3931](#) (Skoe). It included the following bills authored by Senator Rest:

- [S.F. 2288](#), creating a one-time tax credit of \$2,000 dollars for families that suffer from a stillbirth during pregnancy
- [S.F. 2586](#), expanding eligibility and increasing benefits for the Working Family Credit
-

well, but it would not qualify under the REAL ID Act as adequate identification for accessing federal facilities or traveling by air. The bill passed 48-16. Senator Rest voted for the bill.

Fantasy Sports Regulation

On Thursday, May 12, the Senate Tax Committee heard [H.F. 2540](#) (Pappas), a bill providing a statutory definition of fantasy games and exempting them from the state's legal definition of gambling. After a lengthy discussion, the bill was laid on the table at the request of the chief author; it is unlikely to move forward this year. As a result, no changes are made to existing law regarding the practice of fantasy sports in Minnesota.

Meadow Lake Park Reopening

The City of New Hope will host a ribbon-cutting celebration for improvements made in Meadow Lake Park (Yukon Avenue and Meadow Lake Road) on Monday, May 16. The event is from 5 to 6 p.m., with the ribbon cutting ceremony by Mayor Hemken and city council members at 5:30 p.m. Refreshments will be served and all are invited to attend.

[S.F. 2374](#), affirming the state's right to collect sales tax on all sales within their borders, including online sales, regardless of where the seller is headquartered

•
[S.F. 2209](#), allowing restaurants to receive a tax credit for the donation of prepared food

Several other major provisions were included in the supplemental tax bill, including Senator Sieben's Paid Family Leave legislation ([S.F. 2558](#)), a new tax credit for qualified student loan payments, and a tax credit proposed by Senator Dziejcz for employers using a nameless job application process ([S.F. 3450](#)). The bill also has a property tax exemption that applies to the proposed stadium site for the Minnesota United soccer team and contains several areas of conformity to the federal tax code.

The full Senate passed the bill on Wednesday, May 11, by a vote of 37-30. Senator Rest voted for the bill. Provisions in the supplemental tax bill will now be considered alongside the language from the 2015 omnibus tax bill ([H.F. 848-Skoe](#)), which is still awaiting action in a conference committee. That bill includes property tax relief for businesses and home owners, various sales tax exemptions, and provisions to benefit military veterans.

Presidential Nomination Primary Bill Passes in the Senate

On Thursday, May 12, the Senate passed [S.F. 2985](#) (H.F. 3549-Sanders), Senator Rest's bill to establish a presidential nomination primary for both of the major political parties beginning in 2020. The legislation requires the party chairs to jointly submit a date for the nomination primary a year in advance, and to allocate their delegates to the national convention in a manner that is bound to the results (e.g. winner-take-all, proportional, etc.). Voters must be registered to participate and would only be able to request and fill out a ballot for one party's nomination primary. That information would be added to the public information voter lists but does not bind any voter in any state primary or general election. The bill preserves the precinct caucus process for the sake of conducting other party business; the party chairs are required to schedule the caucuses for a separate day from the primary. The bill passed on a bipartisan vote of 49-15.

Note from Ann

Dear Constituents,

We have had a really busy week at the Capitol. I am very pleased with the emphasis in our supplemental omnibus tax bill on tax relief aimed at families—the working family credit combined with a similar credit at the federal level is probably the

single most effective tax policy that helps our state's workers rise out of poverty. We also took seriously the plight of families sometimes overwhelmed by student loan debt. One of the best features is a new tax credit for families who have experienced a stillbirth. The credit may be used to offset expenses incurred by families following this tragic experience. The family leave provision is certainly the subject of much discussion and controversy, but we know that almost all of us at one time or another during our working lives will find ourselves in need of time to care for a loved one. We wanted to make sure the proposal was taken seriously. Although there was much discussion on the Senate floor, no one moved to remove it from the bill.

We now await word from the House leaders as to meeting in the Tax Conference Committee. Representative Davids "has the gavel" and we in the Senate are eager to find resolution to our differences.

It was a pleasure to work in a bipartisan manner on the presidential primary bill. The chairs of both the GOP and DFL parties worked with me and others to provide a bill that will invite greater participation in selecting the Republican and Democratic nominees for president of the United States in 2020. The bill is filled with tradeoffs and compromises of positions without compromising principles.

Fantasy sports players will be able to continue their activities just as before. Many questions were raised at the Tax Committee hearing and I believe the chief sponsor was wise to ask for more consideration of the ramifications of the bill during the interim. Concerns were also raised by representatives of charitable gaming as well as those who object to the expansion of gambling in Minnesota. One of the biggest issues is whether daily online fantasy sports activities constitute gambling. That issue was not resolved.

I have heard from a number of constituents about Sunday liquor sales. That proposal did not surface in the Senate this year. A version of it was defeated in the House this week. I have not supported it, but acknowledge that it is gaining ground and will probably be enacted in the next biennium. It is not a partisan issue --DFLers and Republicans alike are on both sides.

In your service,

Ann

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