

**MnAPA Legislative Committee**  
**5/8/09 Meeting Notes**

**Legislative Committee**  
**Sixth Meeting for 2009 Legislative Season**  
**2:00 – 4:00 pm**  
**Washington County Service Center, Cottage Grove**

**Present:** Co-chairs Andrew Mack and Bob Patton, John Baker, Paul Mogush, Andy Gitzlaff, Alec Conzemius, Blair Tremere, Suzanne Rhees, and John Shepard and Jon Sevald by phone

Meeting began at 2:30.

**Legislative updates:**

Bills are getting pared down and combined as the session moves toward a close. Comments on the difficulty of following individual bills at this stage.

- Comments on tracking matrix – works well; but hard to follow as session gets toward end, as bills get wrapped into others, etc.
- More frequent updates?
- We envisioned this problem initially – can't rely on websites to find actual status. (Example of 60-day rule – sometimes only lobbyists know what's going on.)
- John Baker will check with Deb Dyson, Local Govt. Committee analyst, on getting better status updates
- Alec to check with Annalee Garletz. Bob to follow up with Ag Dept legislative expert.
- Blair: Committee administrators are good source of info. Caucus chairs are a source. Senate and House clerk's offices were always good sources, especially for the latest paper copies.

Policy bills are not priorities this year, given focus on budget.

- Land Use & Annexation – (Greenhouse Gas Reduction) bill is dead.
- Ag / Green Acres – was consolidated and passed, Chap 12 in Session Law. Fixes changes of 2008 (nonproductive ag land was ineligible – 7 year penalty – this removes the 7-year (back to 3 years) reverses the repayment if became ineligible;
  - Creates new “Rural Preserve Property Tax Program” – tax rate not as favorable but still get lower assessments. (Issue was hunting lands being used for Green Acres.)
  - Impact for planning: favorable; keeps pressure off mixed rural areas. (John S. mentions that lots of trees were cut down in Sherburne to try to qualify for Green Acres.)
  - Effective tax year 2011. It's really more of a tax equalization program, but acts as important tool for preserving smaller ag parcels in urbanizing areas. Summary from Bob forthcoming.
- HF 2323 - Bill now part of House omnibus tax bill – if violating pesticide laws or water quality or wetland laws, become ineligible for program. pretty big penalty.
- Moratoria – still dead
- Transportation – 1) omnibus policy bill; 2) omnibus finance
- Policy bill passed by House, not Senate, no particular policies of interest
- Finance bill to Governor – concern re timing ahead of rest of budget. Includes taking Livable Comm. fund – 50% of unspent balance from that account and tax base revitalization fund – for Metro Transit operations. Also shifts motor vehicle tax revenues to transit. (Met Council not able to tax for transit operations.)

- \$47million increase for state road construction; \$17million decrease for operations & maintenance
- Andy summarized rail planning efforts: – Rail Forum (ARRA – federal stimulus – funds) and state rail planning by MnDOT for inter-city passenger rail – see FTA’s “Strategic Hi-Speed Rail Plan.” 1 million in annual dedicated funds in Minnesota for high speed rail transit. Chicago – St. Paul route is one of federal priority corridors. Rail Forum includes county representatives, railroads, Amtrak, Wisconsin. Rail planning is also driving some bonding language -- \$26 mil to match fed funds. First funding will go to alternatives analysis to study Rochester route, but first priority is current Empire Builder route. Midwest Regional Rail Initiative as well – governors are requesting funds for three priority “Tier I” projects (none in MN). Need to avoid internal squabbling.
- Sensible Communities bill leftovers – VMT (vehicle miles traveled) reduction goals in Metro bill. Amendment of comprehensive plans re VMT reduction now is gone, but Center for Transportation Studies at the U is still supposed to do a study
- EQB abolition not happening – will stay in Dept. of Administration. Statewide Water Conservation Plan bill proposed, similar to the statewide Conservation Plan.
- “Mega-agency” merger bill is gone.
- Legacy Amendment funding now resolved?
- Signs/Billboards: John Baker described a MN Court of Appeals decision, Clear Channel v. Arden Hills – are local standards for signs pre-empted? No. Court said conversion of a static to electronic sign was an expansion, but dodged the issue. However, Court said digital billboards violate state statute! Clear Channel to appeal. But City doesn’t have a record to defend that statement, so will likely ask Court to remove it.

Note that in a two-year session, any bill can be brought back in 2010

John B. – Model Uniform PUD Act. Scoping stage, then appoint a drafting committee, then invite advisors and observers. Min 2 year process. MN could benefit if it goes to legislature. Already have lots of interested parties signed on. As much or as little input as you wish.

John nominated to serve as observer by Blair, 2<sup>nd</sup> by Bob. Unanimously approved. Andrew will forward this to the Chapter Board for formal appointment.

Fall conference overview. Jean to present legislative wrap-up, would appreciate help – Alec to assist.

Same format as last year? Add more transportation updating if relevant. (Paul & Andy)

Policy platform session as well – need input from all districts, beginning with the upcoming NW District Section program on 5/22/09 in Bemidji.

### **Brainstorming on legislative reform topics**

Enabling law reform – overarching topic

Interjurisdictional planning and cooperation

- annexation (high level of interest)
- urban reserve areas
- inter-jurisdictional cooperation & land use controls
- TDRs
- expand authority to adopt joint plans/zoning through agreements – enforceable
- consolidating application review – planning and zoning, shoreland, building permits, septic – among jurisdictions – townships, county, DNR, PCA, etc.
- involving school districts with local govt. plans

- integration of other services among jurisdictions – emergency, etc.

#### Resources

- shoreland management
- ag land preservation

#### Comprehensive planning (greater MN)

- contents of comprehensive plans (non-metro)
- smart growth concepts – encouragement
- land use-transportation integration
- mandatory comprehensive planning statewide

#### Metro issues

- revision of metro governance – enlarge the region
- facilitation of inter-community planning efforts, including in metro (no effort at Met Council to review local plans and aggregate them)
- Met Council issues – sewer issues & policies, access charges, development costs of inner-city vs. greenfield development. PCA role too
- Rift between Met Council and counties – metro county-level sales tax

#### Transportation

- new models for funding transp. infrastructure and managing congestion – i.e., VMT tax
- eminent domain
- economic development toolbox
- historic preservation incentives
- Main Street program

Next Meeting: Annual retreat – June 12<sup>th</sup>. Place to be determined (north)