

Fredrikson and Byron Legislative Update



MAT/MATIT STATE LEGISLATIVE UPDATE

May 5, 2021

It's been several weeks since the last MAT/MATIT State Legislative Update. Since then, it has been "the grind" at the Capitol as the House and Senate have gone through the pain-staking process of deliberating 14 large omnibus finance bills in the House Ways and Means Committee and Senate Finance Committee. From there, the entire House and Senate debate the bills all over again. That process concluded just last week and is now heading into the conference committee stage.

With just over two weeks remaining (May 17 is the session adjournment date), we are heading into end of session negotiations with four highly contentious issues which will determine whether or not the 2021 regular session ends on time:

1. Budget
2. Emergency Powers
3. Police Reform
4. Federal Dollars

Budget: The legislature and Governor are constitutionally required to pass a biennial budget. The "magic number" is around \$52 billion and the February forecast projected a surplus of over \$1 billion. The three sides (House, Senate and Governor) are not too far apart in total spending but there are major differences on how and where they spend the money. Both Governor Walz and the House DFL have tax increases in their proposals which are opposed by the GOP Senate and House Republicans. Legislative leaders indicated that they would reach agreement on spending targets from each conference committee by this Friday, but that would be a surprise because of these three other major, deal-making issues.

Emergency Powers: Since last summer GOP leaders have been calling for greater limits on the Governor's Emergency powers. Under current Minnesota law, once the Governor calls a peacetime emergency he can continue to extend the emergency (in 30-day increments) without approval from the legislature. Legislators can vote to oppose the extension but it needs to pass both bodies and with the DFL in control of the House, that has not happened.

Police Reform: Police reform has been a major issue at the Capitol. Some reforms were passed last summer in special session but the GOP Senate has been hesitant to adopt any additional changes proposed by the Governor and DFL since then. Stay tuned for further negotiations on this topic.

Federal Money: With the passage of the American Recovery Plan Act (ARPA) there are millions of dollars of Federal money coming to Minnesota. IF the legislature does not specify how the money is to be spent, the Governor must inform the legislature of how he plans to spend these dollars by presenting the plan to the Legislative Coordinating Commission (LCC). The LCC is a bipartisan committee that coordinates the legislative activities of the Senate and House of Representatives. But Republicans would like more control and say over how those Federal funds are spent. The problem is that everyone is stuck collectively waiting for Federal guidance around these dollars until May 17 (which is also adjournment).

Fredrikson and Byron Legislative Update



While these “big picture” negotiations are happening, the omnibus finance bills are now entering the conference committee stage where five members of the House and five members of the Senate must meet to reconcile differences between House and Senate bills. We have been scouring bills and amendments to ensure something doesn’t accidentally slip by that could have a negative impact on townships. In some cases, we are double checking and triple checking our interpretation of proposed language in the omnibus bills! Here’s a quick sample of key MAT items that are still in play in the various omnibus finance bills:

- Transportation
 - Obtaining increased, ongoing revenue for maintenance of town roads
 - Neutralizing truck weight exemptions or permits for aggregate materials hauling and soybean-meal hauling
- Agriculture
 - Supporting increased Broadband funds for unserved communities
 - Opposing use of Broadband funds for wireless communications
 - Supporting ongoing Noxious Weed Management Program funds
- Jobs/Labor/Workforce Development
 - Monitoring Workers’ Compensation legislation
- Taxes
 - Supporting tax incentives for volunteer drivers
- State Govt. Finance/Elections
 - Neutralizing redundant requirements for posting meeting minutes
 - Stopping unregulated meeting public comment periods
 - Supporting use of interactive technology for meeting attendance
 - Allow for locally-decided expanded access to all-mail balloting statewide
 - Full use of Federal HAVA funds
 - Allow townships to have local hotel licensing authority

(State Govt. Finance/Elections, Continued)

- Stopping duplicative reporting requirements already provided to County Auditors
 - Avoiding additional election administration system changes that will overburden township clerks, reduce the number of election judges willing to serve, and increase the costs of providing an in-person election within townships
-
- Energy/Commerce
 - Supporting volunteer driver definition language
 - Stopping any language which creates challenges for MPCA energy decommissioning working group

Other Activities

In between monitoring conference committee activity, there has also been activity in other areas:

Fredrikson and Byron Legislative Update



- Watching House and Senate floor activity for other legislation;
- Participating in several Jeff Krueger introductory meetings with legislators – including Rep. Igo, Sen. Frentz, Sen. Putnam – discussing MAT legislative priorities.

As for House and Senate floor activity, the Senate approved Sen. Newman’s Voter ID legislation (SF173) earlier this week. Here’s a quick analysis from one Capitol media service called Morning Take...

VOTER ID: Per Senate Media Services, VERBATIM: “Minnesota would join with thirty-six other states in requiring some form of photo identification at the ballot box under a measure approved by the Senate Monday, May 3. S.F. 173 would require voters to present a form of photo ID in order to register to vote and also to vote. The measure would also implement provisional ballots for voters unable to supply proper identification on Election Day and provide funding to cover the costs of obtaining a valid form of ID for those who cannot afford it. According to the bill’s author, Senator Scott Newman, R-Hutchinson, the measure would improve voter confidence in elections, prevent voter fraud and modernize Minnesota’s elections. The bill passed on a party-line vote of 34-32. Members of the DFL objected to the proposal on the grounds that it would make voting more difficult, especially for marginalized groups like the elderly, disabled, people of color, indigenous people, students and individuals struggling with homelessness.” READ: <https://fluence-media.co/303ZRkE>

• GOP: From Sen. Scott Newman, VERBATIM: “Millions of Americans are now lacking trust in our system. This is one of the fastest and easiest ways we can restore their faith and protect the rights of all legal voters.” SEE: <https://fluence-media.co/3gU1aMG>

• DFL: From Senate Assistant Minority Leader Nick Frentz, VERBATIM: “This bill makes it harder for Minnesotans to vote, particularly for our seniors, for those who live in rural areas, and for those who have a disability, Greater Minnesota has a higher percentage of people in these populations and, therefore, would be disproportionately affected. Minnesota has an incredible history of high voter turnout and election integrity. We need to work together to create a path forward to expand voting access and make more voices heard in Minnesota, not create more barriers for Minnesotans to vote.”

Another bill of interest to MATIT that has been passed and signed into law (by the Governor on April 27) is the Workers Compensation Advisory Council (WCAC) Bill, House File 2253. The new law extends workers’ compensation eligibility for emergency first responders and front-line workers, which was set to expire May 1, 2021, now to the end of the year. The bill ensures that front-line workers, including doctors and nurses, firefighters, paramedics, police, long-term care workers, home health workers, correctional officers, and childcare providers, continue to qualify for workers’ compensation benefits if they test positive for COVID-19.