



Association of  
Minnesota Counties

# Legislative Policy Priorities

Adopted by AMC Board of Directors 12/5/21

# 2022

## **Human Services and Public Safety**

### **Mental Health Services and Infrastructure**

Counties across the state are struggling to serve their communities because the mental health system is inadequate to meet the needs of Minnesotans. Multiple approaches are necessary to reduce the impact of substance abuse and mental illness in communities. Significant state investments are critical for building an effective behavioral health infrastructure that provides access to crisis services, appropriate placements, availability of state operated safety net of facilities, a well-trained workforce, and parity of mental health support with private insurance. Additionally, an increasing number of justice-involved and incarcerated individuals are experiencing untreated mental health conditions and substance use disorders due to a lack of resources in communities and correctional facilities which has a large fiscal and societal cost. Not addressing mental health issues puts communities at risk and can lead to revictimization making it a critical area of investment for the state. Focusing on these specific populations is just part of the solution as a broader look at the statewide continuum of care for all community members is necessary. Initiatives that support this priority include:

Reinvest Does Not Meet Medical Criteria (DNMC) dollars paid by counties into developing placements and addressing gaps in our mental health continuum rather than returning to the general fund

- Invest additional bonding dollars to develop behavioral health crisis facilities.
- Increase regional Adult Mental Health Initiatives grants.
- Implement the recommendations of the Community Competency Restoration Taskforce with appropriate state investments.
- Support new, creative therapeutic treatment options for juveniles involved in the criminal justice system.
- Build out behavioral health infrastructure in greater Minnesota.

## **General Government**

### **Housing Investments**

Minnesota is experiencing a critical housing shortage crisis resulting from the lack of affordable housing that has serious implications for counties across the state and is affecting both the quality of life in communities and economic growth. Minnesota has a number of programs and initiatives aimed at addressing its inadequate housing supply and this priority would seek to add more investments in these as well as continued investments in Housing Infrastructure Bonds, the largest state source of capital for housing development. Increasingly, homelessness is becoming a pressing issue in both the metro area and Greater Minnesota, requiring further investments in emergency and transitional housing supports to help our most vulnerable populations.

**AMC supports a statewide effort to develop an accessible and reliable statewide behavioral health continuum of care and infrastructure that meets the needs of communities across Minnesota, including justice-involved and incarcerated individuals.**

**AMC continues to support a comprehensive approach that includes additional state investments across the housing spectrum including but not limited to workforce and affordable housing, senior housing, and emergency/transitional housing supports.**

## ***Transportation & Infrastructure***

### **Bonding**

The Legislature passed a large bonding bill in October 2020, which included significant investments in local roads, bridges, and bus rapid transit, but there is still a considerable need for additional funding for these programs statewide. There are over 600 deficient local bridges that need funding over the next three years, and the most recent solicitation for the Local Road Improvement Program received 425 applications totaling \$344 million in requests – well exceeding the \$75 million available in the 2020 bonding bill. The 2022 session is considered a bonding year and after House and Senate bonding tours this fall and winter, we are hopeful there will be a desire to pass another robust bonding bill. Capital requests from MnDOT, Met Council, and BWSR indicate strong support for these four programs and AMC supports the agency proposals.

## ***Transportation & Infrastructure***

### **Broadband Funding**

The COVID-19 pandemic only highlighted the disparities in broadband access across the state and created an even stronger need for additional investment. Last session, the Legislature appropriated \$70 million from the state's ARP Capital Projects Fund to fund the state Border-to-Border Broadband Development Grant Program. This was a record investment for the grant program and will go a long way in achieving border to border broadband in Minnesota. At the end of 2020, the Governor's Task Force on Broadband identified the need for \$120 million in biennial funding for the grant program until we achieve border to border broadband and to continue to meet the state speed goals. Despite record investment last year, we are still hopeful for additional investment in the grant program this year from the remaining \$110 million in the state's ARP Capital Projects Fund.

## ***Public Safety***

### **Community Supervision**

Minnesota's county-based probation systems are chronically underfunded as a result of the current funding mechanism. The current method is ineffective, unsustainable, and inequitable for counties because it requires the three delivery systems to fight for the same funding without a cohesive voice. All three delivery systems (County Probation Officers, Community Corrections Act, and Department of Corrections) have embarked on an initiative to change the funding mechanism and ensure that all counties are able to provide all core probation services regardless of their tax capacity or delivery system. AMC is an instrumental voice in this change process at the Legislature in both creating broad legislative support and ensuring that changes support county needs. AMC supports system changes that meet the criteria above and include a significant increase in funding for county community supervision.

**AMC supports a robust bonding bill that includes funding for transportation-related programs, including the Local Road Improvement Program, the Local Bridge Replacement Program, the Local Government Road Wetland Replacement Program, and the Busway Capital Improvement Program.**

**AMC supports equity in broadband infrastructure in Minnesota, including legislation that would provide adequate and continuous funding for the Border-to-Border Broadband Development Grant Program.**

**AMC supports changes to the community supervision funding model so that state fund allocations are transparent, needs-based, and equitable among county and state supervision providers. Counties need a substantial increase in community supervision funding to achieve this model.**

**AMC supports a solution agreed to by stakeholders, including counties, for any proposed change to the Public Waters Inventory.**

**AMC supports a legislative study outlining budget impacts of child protection mandates on counties' levies, operations, and property taxes.**

**AMC supports addressing the statewide workforce's need for affordable and accessible childcare.**

**AMC supports strengthening Payment in Lieu of Taxes (PILT) funding programs to address regional inequalities and guarantee full property tax loss replacement.**

## ***Environment and Natural Resources***

### **Public Waters Inventory**

Public waters are all water basins and watercourses that meet the criteria set in law and identified on the Public Waters Inventory (PWI). Actions by the Administration and a recent Minnesota Appeals Court decision have called into question the status of public waters and the process for designating public waters. The Minnesota Department of Natural Resources (DNR) has interpreted limited statutory authority to correct errors to allow them to reclassify any waters as public with limited public engagement. The Legislature created a robust public process for establishing the PWI and provides limited authority to make updates and corrections, neither of which seem to be in keeping with what is currently happening. Furthermore, a Minnesota Appeals Court decision would throw out the regulatory certainty created by the PWI and potentially lead to delayed work, delayed decision-making, and increased costs and increased litigation.

## ***General Government***

### **HHS/Child Protection Cost Study Report**

Minnesota counties serve as the main, on-the-ground administrators of many of the state's social safety net programs and have significant responsibilities overseeing the state's child protection system. Over time, counties have assumed increased duties and mandates in these arenas, adding complexity and additional work for counties while also increasing the costs of these services. Additional data is needed to evaluate the costs of human services mandates to counties in the child protection system. As such, AMC requests a state study that responds to the following three questions:

1. What are the roles and responsibilities of counties in Minnesota's child protection system and how much are individual counties spending on duties related to child protection services?
2. How much does the federal and state government reimburse each county for the same social services?
3. How much is left on the bottom line for each county to make up for through property tax levies?

## ***Health and Human Services***

### **Address Acute Childcare Shortage Across the State**

Access to affordable childcare is central to our state's economic vitality. Currently, availability and affordability of childcare are persistent challenges across the state that have been exacerbated by broader workforce and economic challenges. Increased investment is needed in childcare assistance programs (CCAP) and basic sliding fee (BSF) childcare to ensure access is maintained and to support providers with appropriate rates. Additional grant dollars should be made available for innovative and creative childcare solutions such as navigators and startup support for providers – capital – to assist with business startup, procurement, and aid in the expansion and sustainability for existing providers.

## ***General Government***

### **PILT Sustainability**

PILT is a vital resource for counties with large amounts of state/federally owned land. While a certain subset of PILT payments have received increases in funding, two important PILT categories (DNR-administered and county-administered) have remained stagnant, not keeping up with inflation or properly reimbursing local governments for lost tax base. In addition, a recently mandated re-assessment of acquired acres land values has caused dramatic swings in PILT appropriations. Counties are asking for both increased and consistent funding to ensure that payments adequately compensate local communities for land displacement.

**Human Services/General Government**

**Opioid Settlement Follow Up**

For counties to fully realize the benefit of the national opioid settlement funding stream to make improvements at the local level, legislative changes need to be made to the Opioid Epidemic Response Advisory Council (OERAC) during the 2022 legislative cycle. The current mechanism dedicates 50% of funds to counties for child protection services with the remaining 50% being granted out by OERAC. The legislation also intended any funding from national opioid settlements to be distributed through the OERAC mechanism. The negotiated Minnesota opioid allocation plan agreed that the state could better meet the parameters of the national settlement by allocating the majority of opioid funds directly to the entities that already work on substance use prevention and abatement. Direct payments to counties and cities will allow the most flexibility in meeting specific community needs rather than restricting the funds to child protection.

**AMC will pursue and support legislation to implement the terms of the opioid intrastate allocation plan.**

**Health and Human Services**

**Support State Implementation Efforts of Family First Prevention Service Act to Avoid Cost Shifts to Counties**

Federal and state implementation requirements for the Family First Prevention Services Act (FFPSA) became effective October 1, 2021. FFPSA seeks to transform state and local child welfare systems by providing substance abuse, mental health, and other prevention and treatment services to prevent children’s entry into foster care, while also seeking to reduce states’ reliance on group and residential treatment homes and instead prioritize family-based care. To meet FFPSA’s goals of going upstream and stemming the costs of out of home placements in our state, Minnesota needs robust prevention services developed statewide that meet the needs of our communities and Title IV-E funding criteria. Specifically, the state must develop the necessary statewide infrastructure and determine a sustainable funding source for the new “Qualified Individual” (QI) position, required to evaluate appropriateness of placements and for a placement to qualify for Title IV-E federal dollars, while also developing a statewide program to implement kinship practices with equitable access in all counties. Further action is also needed to catalyze out of home placement facilities to become Qualified Residential Treatment Programs (QRTPs), the accreditation standard needed for counties to access Title IV-E funds for placements. Failure to do so will result in inequities regarding access to services across the state and result in a cost shift to counties.

**AMC supports a state implementation of Family First Prevention Service Act (FFPSA) that meets the core tenets of the federal statute and ensures equitable access to services state-wide, while also being financially sustainable to counties and avoiding unfunded mandates and cost shifts to counties.**

**Environment and Natural Resources**

**Solid Waste Management/Protecting Waste-to-Energy Facilities**

State statutes establish a waste management hierarchy to reduce waste and its negative environmental impacts. Counties are the government entity responsible for the management of solid waste. Recent legislative efforts focused on energy and environmental justice issues have neglected to consider solid waste management needs and conflict with the environmental stewardship efforts of counties to manage solid waste. Counties want to protect the environmental considerations that are already part of MS Chapters 400 and 473 and the investments that counties are making in these best management practices for solid waste.

**AMC supports reinforcing a county’s ability to perform its solid waste management responsibilities as required by Minnesota Statute Chapters 400 and 473, which includes ensuring the viability of resource recovery facilities, which support the state’s solid waste management hierarchy and help provide an effective, efficient, and environmentally focused waste management system for all residents.**

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