

ANOKA COUNTY

AGENDA

INTERGOVERNMENTAL & COMMUNITY RELATIONS COMMITTEE

and Meeting of the Anoka County Board of Commissioners**

Commissioners Reinert (Chair), Jeppson (Vice Chair), Look and Gamache

WEDNESDAY, SEPTEMBER 27, 2023

1:00 P.M.

Lac Quie Parle Room, Highway Building

Public comments are welcome at this time. In consideration of others wishing to speak, please limit comments to two minutes. Questions directed to the committee may not be answered immediately; however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by county staff.

1. Consider recommending the county board adopt Resolution #2023-IG05, Resolution Approving Special Law Authorizing the County of Anoka to Levy Property Taxes and Incur Debt for Public Safety Improvements and Equipment. **See attached** worksheet and resolution.
2. For informational purposes, recommended by the board of commissioners at the August 22, 2023 county board meeting, consideration of Ordinance #2023-01, Prohibition On Use of Cannabis On County-Owned Properties. **See attached** ordinance.
3. For informational purposes, consider including filing fee changes for License and Passport Services in the Anoka County 2024 Legislative Platform. **See attached** proposal.

*** Actions taken by this Committee do not bind the County Board. In addition to the County Commissioners appointed to this committee, additional County Commissioners may attend. Non-committee Commissioners may choose to participate in the discussions and/or ask questions, but they will **not** vote on any item, nor will they agree to take a specific action on business conducted by the committee. If their attendance and limited participation in the committee meeting is considered a meeting of the County Board, this shall serve as notice of a County Board meeting. This shall also serve as notice of a County Board Meeting for any committee comprised of four or more members of the board.*



ANOKA COUNTY BOARD ACTION ITEM

August 31, 2023

Anoka County Attorney's Office

ACTION REQUESTED	The Anoka County Attorney's Office is requesting that the Intergovernmental and Community Relations Committee recommend that the County Board pass a resolution approving special legislation passed by the state legislature and signed into law by Governor Walz.
BACKGROUND	<p>Prior law set the expiration of the law authorizing the county board to levy for the purpose of funding countywide public safety improvements/projects/equipment/etc. on Dec. 31, 2023. The statute was amended to extend the authority to Dec. 31, 2033.</p> <p>Because it is special legislation, the statute does not take effect until Anoka County approves the legislation through resolution and necessary filing with the Secretary of State.</p>
SOLUTIONS	Approve the special legislation.
CONCLUSION	
RECOMMENDATIONS	That the Intergovernmental and Community Relations Committee recommend to the County Board that it adopt a resolution approving the special legislation.

RESOLUTION #2023-IG05

**RESOLUTION APPROVING SPECIAL LAW AUTHORIZING THE COUNTY OF ANOKA
TO LEVY PROPERTY TAXES AND INCUR DEBT FOR PUBLIC SAFETY
IMPROVEMENTS AND EQUIPMENT**

WHEREAS, pursuant to 2023 Session Law Chapter 64, Article 3, Section 30 (HF1938), signed into law by Governor Tim Walz on May 24, 2023, the Minnesota State Legislature extended the expiration date and made other amendments to Minnesota Statute Section 383E.21, which grants authority for Anoka County to levy property taxes and incur debt for the purpose of funding public safety improvements and equipment; and,

WHEREAS, the text of the enacted legislation reads as follows:

**383E.21 COUNTYWIDE PUBLIC SAFETY IMPROVEMENTS AND EQUIPMENT;
BONDING AND TAX LEVIES.**

Subdivision 1. Authority to levy property taxes and incur debt.

(a) To finance the cost of designing, constructing, and acquiring countywide public safety improvements and equipment, including personal property, benefiting both Anoka County and the municipalities located within Anoka County, the governing body of Anoka County may levy property taxes for public safety improvements and equipment, and issue:

(1) capital improvement bonds under the provisions of section 373.40 as if the infrastructure and equipment qualified as a "capital improvement" within the meaning of section 373.40, subdivision 1, paragraph (b); and

(2) capital notes under the provisions of section 373.01, subdivision 3, as if the equipment qualified as "capital equipment" within the meaning of section 373.01, subdivision 3. Personal property acquired with the proceeds of the bonds or capital notes issued under this section must have an expected useful life at least as long as the term of debt.

(b) The outstanding principal amount of the bonds and the capital notes issued under this section may not exceed \$8,000,000 at any time. Any bonds or notes issued pursuant to this section must only be issued after approval by a majority vote of the Anoka County Joint Law Enforcement Council, a joint powers board.

Subd. 2. Treatment of levy.

(a) Anoka County shall not include any taxes levied under this section in its levy certified under section 275.07, subdivision 1, paragraph (a). Anoka County shall separately certify taxes levied under this section to the county auditor.

(b) Notwithstanding sections 275.065, subdivision 3, and 276.04, the county may report the tax attributable to any levy to fund public safety capital improvements or equipment projects approved by the Anoka County Joint Law Enforcement Council or pay principal and interest on bonds or notes issued under this section as a separate line item on the proposed property tax notice and the property tax statement.

Subd. 3. Expiration.

This section expires on December 31, 2033. The county may not issue a bond or note under this section with a maturity or payment date after the expiration date of this section. No property tax may be levied under this section for taxes payable in a calendar year after the calendar year in which this section expires. Expiration of this section does not affect the obligation to pay or the authority to collect taxes levied under this section before its expiration.

EFFECTIVE DATE.

This section is effective the day after the governing body of Anoka County and its chief clerical officer comply with the requirements of Minnesota Statutes, section 645.021, subdivisions 2 and 3; and,

WHEREAS, the new legislation is a special law as defined in the Minnesota Constitution, article XII, section 2, and therefore requires approval by resolution adopted by a majority vote of the Anoka County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, in accordance with Minn. Stat. § 645.021 subd. 2, does hereby approve of Minn. Stat. § 383E.21 as described above by adoption of this resolution.

IT IS FURTHER RESOLVED that, Anoka County, by and through its Board of Commissioners, authorizes its appropriate clerical staff to comply with the requirements of Minn. Stat. § 383E.021 subd. 3 by completing all appropriate filings with the Minnesota Secretary of State.

ORDINANCE #2023-1

COUNTY OF ANOKA
Anoka County, Minnesota

**PROHIBITION ON USE OF CANNABIS ON
COUNTY-OWNED PROPERTIES**

1. PURPOSE AND AUTHORITY.

- 1.1. **Purpose.** This ordinance is enacted to establish a prohibition on the public use of cannabis on properties owned, leased, or controlled by Anoka County following passage of cannabis laws during the 2023 legislative session. Section 152.0263, subd. 5, permits local units of government to adopt ordinances to establish a petty misdemeanor offense for use of cannabis in public places.

Anoka County is committed to its mission to protect and enhance the health of its citizens, employees, and visitors by providing a safe and clean environment. The Anoka County Board of Commissioners finds that a prohibition on the public use of cannabis on its properties is necessary to promote and protect the health and wellbeing of its employees, its clients, and the general public, ensuring that they are not exposed to the risks, known and unknown, of exposure to second-hand smoke, vapor, and aerosols and other forms of cannabis use.

- 1.2. **Authority.** This ordinance is adopted pursuant to Minn. Stat. § 375.51 and Minn. Stat. § 152.0263, subd. 5.

2. **PROHIBITED ACTIVITY.** No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in any public place on county-owned property.
3. **PENALTY.** Notwithstanding any other penalty provision of any Anoka County ordinance, a violation of this ordinance is a petty misdemeanor subject to a payable fine of up to \$300.
4. **DEFINITIONS.** In addition to the definitions expressly provided in this section, the definitions in Minn. Stat. § 342.01 apply to this ordinance.
- 4.1. **Anoka County.** “Anoka County” includes the County of Anoka, Minnesota, together with all of its subdivisions and departments, and the Anoka County Housing and Redevelopment Authority.
- 4.2. **County-owned property.** “County-owned property” means real property owned, leased, or controlled, whether through a lease, rental agreement, license agreement, or any other such agreement or instrument, by Anoka County.
- 4.3. **Cannabis Flower.** “Cannabis flower” has the meaning given in Minn. Stat. § 342.01, subd. 16.

- 4.4. **Cannabis product.** “Cannabis product” has the meaning given in Minn. Stat. § 342.01, subd. 20.
- 4.5. **Hemp-derived consumer product.** “Hemp-derived consumer product” has the meaning given in Minn. Stat. § 342.01, subd. 37.
- 4.6. **Lower-potency hemp edible.** “Lower-potency hemp edible” has the meaning given in Minn. Stat. § 342.01, subd. 50.
- 4.7. **Place of employment.** “Place of employment” has the meaning giving in Minn. Stat. § 144.413, subd. 1b.
- 4.8. **Public place.** “Public place” means any indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, any area owned by a public entity, or any area which is used as a place of employment.

“Public place” includes property not generally accessible by the public if the property owner has explicitly prohibited consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property.

“Public place” does not include (1) a private residence, including the person’s curtilage or yard, or (2) the premises of an establishment or event licensed to permit on-site consumption.

- 4.9. **Use.** “Use” means to ingest, inhale, or otherwise consume or introduce a substance into the human body in any manner, to leave, discard, or abandon a substance, or to smoke, vaporize, or aerosolize a substance through burning, heating, spraying, or any other method whatsoever.
5. **CAPTIONS AND HEADINGS:** The captions and headings used in this ordinance are for convenience of reference only and do not define or limit the contents of any provision.
6. **SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the **provisions of this act are severable.**
7. **EFFECTIVE DATE.** This ordinance is effective from and after its passage by the Anoka County Board of Commissioners and publication in accordance with state law.

2024 Legislative Proposal for Anoka County

Anoka County employees are encouraged to submit ideas to make government more efficient – such as law-changing proposals to improve services, eliminate outdated State rules, and undo anything else that gets in the way of making government better, faster and smarter.

Each proposal should be submitted to the committee of jurisdiction during the September committee meetings.

Submitted by: John Lenarz – License & Passport Services (Name and Department)

1. Brief proposal description:

Allowable filing fees established in Minnesota Statute designed to cover the expenses of providing motor vehicle title and registration services and driver's license and State ID services on behalf of the State of Minnesota have not kept pace with the cost of providing these services.

- Bills introduced of the past several years to adjust the filing fees have not made it through legislature.
- Changes to State business practices have significantly increased the time needed to complete transactions
- The State continues to develop self-service options for common quick transactions, which erodes the revenue stream offices depend on to cover expenses.
- Additional pressure by city and county organizations is needed to encourage passage of bills designed to maintain the viability of offices who provide services to the residents of Minnesota which the state either does not offer or does not have the capacity to handle the demand for services.

2. What do you want to accomplish?

Passage of bills to correct the misalignment of the revenue streams designed cover the costs of providing services and the actual costs.

3. What statute needs to be amended or is impacted.

168.33 Subd. 7 Motor Vehicle filing fees
171.06 Subd. 2 DL/State ID fee sharing
171.061 Subd. 4 DL/State ID filing fees
299A.705 add subdivision regarding MV & DL fee sharing from mail-in and on-line transactions.

4. What is the cost savings/fiscal impact to Anoka County's budget?

If appropriate changes are made, the current need to subsidize the department to account for the shortfall should be reduced or eliminated.

5. What would be the time savings/efficiencies for Anoka County?

6. What are the downsides of supporting this issue?

Being a user fee, increased filing fees would impact customers at the time of their transaction.

7. Who, or what organization would oppose this issue?

8. Is there a county-related/state-related organization which might support this issue?

Minnesota Deputy Registrars Association (MDRA)
Deputy Registrar Business Owners Association (DRBOA)
Association of Minnesota Counties (AMC)
Minnesota Association of County Officers (MACO)
Minnesota Inter-County Association (MICA)
League of Minnesota Cities

9. What would be the likelihood of success for this issue in the current legislative environment?
In the 2022 session, conference committee had agreed upon language to increase DL filing fees and create a fee sharing solution for filing fees collected by the state from mail-in and on-line transactions.

10. How else could this issue be addressed?

11. Other information concerning this issue: