



FILLMORE COUNTY

2020 Legislative Priorities

GENERAL

County Program Aid – Fillmore County appreciates the legislative action from 2017 to stabilize and add dollars to the CPA program. We would appreciate continued support for this program as Counties are the local administrative arm of state government.

Broadband Development – Fillmore County has areas that are in need of advanced broadband networks and symmetrical high-speed capacity.

- Fillmore County supports the build-out of broadband infrastructure in Minnesota, including legislation that would provide funding for the Office of Broadband Development and continued funding for the Border to Border Broadband Development Grant Program.

Sustainability and New Legislation

- Fillmore County asks that any new program or changes to existing programs that Legislators make also provide long term funding and sustainability so that the financial burden does not fall solely on Minnesota counties in the future.

DNR Land Acquisition

- Fillmore County asks the legislators to direct the DNR to increase maintenance and monitoring of existing properties owned by the DNR.

Assessor Certification and State Requirements for the position

- Fillmore County asks the legislators to review the requirements for County Assessors to be qualified to be approved by the State for that role; it has made it impossible to find a candidate for this position.

HIGHWAY

Local bridge bonding

Bridge bonding is very important to Fillmore County; there are 49 structures currently on the replacement priority list totaling \$12,000,000.

- Fillmore County asks for the State to provide transportation revenue through traditional general and trunk highway bonding programs for:
 - Local Bridges
 - Local Road Improvement Program
 - Transportation Alternative Program (Safe Routes to School)

Transportation Funding

- Fillmore County supports additional long-term sustainable funding dedicated to the Highway User Tax Distribution Fund (HUTDF).
- Fillmore County supports a dedication of all sales tax revenue generated by the sale of auto parts for transportation purposed through the (HUTDF).

- Fillmore County supports efforts to capture Revenue from all highway users, including electric vehicles.

Transportation Regulation

- Fillmore County supports the retention of Overweight/Oversize vehicle permitting authority by individual County Road Jurisdictions.

WATER

Funding for County-Based Plans

The Root River One Watershed, One Plan has been completed and has been approved by BWSR.

- Continue to provide long-term base funding, as recommended by the Clean Water Council to the legislature for program implementation.

SOCIAL SERVICES

Modernization

- Fillmore County supports modernization of human services programs that are imperative to the sustainability of publicly funded human services. Simplification, uniformity and alignment of human service programs while maintaining program integrity are essential to building a more effective service delivery system and avoiding exorbitant administrative costs to state and local government. The human service system must be resourced to harmonize with consumer expectation and society norms.

Substance Abuse Disorder Reform (SUD)

- Fillmore County supports providing for a certification process for county staff so that counties can continue to provide this service if they choose and promote timely access to treatment. Requiring a Licensed Alcohol Drug Counselor (LADC) for county staff will likely result in many counties no longer providing this service.

Comprehensive Mental Health System Improvements

- Fillmore County is asking the state to grant more “beds” for children and adults that need and deserve a “forever home” instead of short, expensive placements that may not be therapeutic for their mental health.

Health Care Program Procurement

- Fillmore County supports a move toward a procurement process that is transparent and reflects a county voice in the outcomes and provides a fair and unbiased process for appeal. The procurement process should not lead to barriers to implement CBP via state statute 256B.692. Support federal waivers or legislative changes, including proposed, new, Chapter 62W, necessary to allow that via current state statute. Honor County rights and authority.

Long Description:

PUBLIC HEALTH

Local Public Health Grant Funding

- Fillmore County supports replenishing the Local Public Health Grant to former levels as it is the main investment that the state has in our public health system; the funding

cuts have reduced the capacity of local health departments to carry out mandated public health functions.

Preventing Youth Tobacco & Nicotine Addiction

- Fillmore County supports limiting youth access to tobacco by increasing the tobacco purchase to age 21 and restricting the sale of flavored tobacco

AUDITOR-TREASURER

Voting

- Fillmore County supports the creation of a dedicated funding source to continue election technology upgrades for polling places throughout the state, which is managed by counties.
- Fillmore County supports to remove the requirement for sample ballots to be published in a newspaper prior to the election, since Counties can publish the ballot on their website.

Administrative

- Fillmore County supports current legislation that would allow counties to recover administrative and management costs related to the tax forfeiture and delinquency process through fee administration or through the sale of the property. Revenues received from property auctions should continue to first offset the county costs of mitigating and/or managing the safety, building, or property issues; which can be excessive.

Real Estate Taxes

- Fillmore County supports a requirement that all current taxes be paid in full before recording documents that convey legal ownership for whole parcels; which would be the same language as exists for payment in full for split parcel transactions.
- Fillmore County supports changes to the property tax collection timeframe in order to address the use of postal centers. Fillmore County supports the receipt date in conjunction with the due date rather than post marked envelopes.
- Fillmore County supports protecting counties, cities, township and schools from the burden of accrued interest due as a result of tax court findings involving valuation errors/discrepancies made by the State of Minnesota on personal property.

Mortgage Registration and Deed Tax

- Fillmore County supports a more equitable distribution of the mortgage registration and deed tax, revenue sources disproportionately benefiting the state general fund for a service completely provided by county employees and county resources.

PUBLIC SAFETY

Court Security

The Sheriff's Office is responsible for providing security and safety for our courts. Fillmore County has spent approximately \$250,000 for court security equipment in the past few years;

- Fillmore County asks that the legislature look at options to provide additional funding for updating ongoing improvements, and training to existing court security programs.

Law Enforcement Mandated and Essential Trainings

- Fillmore County feels that funding should be available for all mandated training and additional training in diversity, mental health issues and chemical use/abuse issues in the jail.

ARMER Interoperability

A few years ago, the ARMER system was put into place in Fillmore County, helping us to achieve greater interoperability.

- Fillmore County asks our legislators to recognize the importance of this ARMER system and to fund the maintenance and updating costs.

LEGAL

Do not make any changes to the Criminal Forfeiture Laws

In 2019, there was an effort to restrict the ability of law enforcement to forfeit monies, vehicles and other assets used in the commission of serious crimes or derived from serious criminal activity. Forfeiture is an important tool for law enforcement to discourage criminal activity, take away monies and assets used in the commission of a crime, and forfeit assets derived or obtained from criminal activity. Any changes to the forfeiture laws should be implemented carefully and only after consultation with the County Attorney's Association and Sheriff's Association.

Strictly regulate industrial hemp and hemp related products

Industrial hemp regulations have been confusing and fail to address extraction of delta-9 THC in excess of .03 % and the various products derived from industrial hemp which may constitute marijuana and/or controlled substances under Minnesota Law. Hemp cigarettes and ingestible products can be consumed by minors and are not regulated well or the regulations are confusing. These regulations need to be clarified to allow for proper enforcement and protection of the public.

Add a Septic Compliance Block on all Deeds which Require a Certificate of Real Estate Value

All Warranty Deeds and other deeds for transfer of land in Minnesota which have consideration greater than \$1,000 require that a block be checked for well compliance. A similar block should be required for septic system compliance in Minnesota. This would significantly aid in enforcement and would promote public safety and protection of the environment.

Increase values for theft/receiving stolen property/criminal damage to property and related crimes

In a Fillmore County case, an individual stole two stop signs. Those stop signs were valued at over \$1,000. This caused the crime to be a felony which seems too severe. Minn. Stat. § 609.52, Subd. 3 establishes the severity levels for theft crimes based on the value of the item taken. These values have not been updated for many years. It's time for an update.

Waiver of medical privilege for crimes involving death, substantial bodily harm, or bodily harm

Pursuant to the medical privilege rule in Minn. Stat. § 595.02, Subd. 1(d), the prosecution cannot obtain copies of medical records, blood tests, and other medical information pursuant to a search warrant and cannot use those medical records as evidence in a criminal prosecution even though the blood test and/or medical information may show a person was under the influence prior to an accident or crime involving death or great bodily harm to another. An exception to the medical privilege statute should be created to allow law enforcement to obtain copies of the blood tests and use those records as evidence in a criminal case when there is a death, substantial bodily injury, or bodily injury to another person.

Extend the time for Commitment of Repeat Mental Health Patients

Fillmore County deals with many repeat mental health patients who have been committed and re-committed on a regular basis. Extension of the original commitment time period allows for stability, continued monitoring, and continued assurance that the patient is taking the appropriate medications. This extension will save substantial amounts money spent by law enforcement, social services, medical facilities and the justice system.

Extended stays of adjudication for juvenile offenders

Currently, stays of adjudication for juvenile offenders can only continue for two 180 day periods (360 days). As a result, there is not sufficient time to rehabilitate and monitor juvenile offenders and give them the opportunity to avoid a conviction. Fillmore County recommends that stays of adjudication continue for up to 2 years. (NOTE: adult offenders may receive stays of adjudication which continue for many years).

Minn. Stat. § 609.79 – Obscene or Harassing Telephone Calls should be updated

Minn. Stat. § 609.79 which relates to obscene or harassing telephone calls should be updated to include other forms of communication, such as texting, Facebook messaging, Snapchatting, Instagramming, and other forms of electronic communication which can be used to harass or which may be obscene.

Update theft crimes to include cybercrimes

The theft statutes should be updated in Minnesota to include modern means of financial theft, identity theft and/or theft of personal information. Today, the actual credit card is not typically stolen when a theft occurs. Typically, the data and/or personal identification information is stolen. Our statutes need to be continually updated to keep pace with continually evolving cybercrimes.

SOLID WASTE

E-waste Recycling

Fillmore County supports improvements to maximize e-waste recycling efforts, fully reimburse counties for collection and recycling, and increase manufacturer payment and responsibility to reduce the costs associated with end of life, collection, and recycling for both consumers and counties.

Increased Funding

Fillmore County supports increased funding for state and county solid waste management projects and activities. This includes allocating 100% of revenue generated by the Solid Waste Management Tax (SWMT) to waste management activities, increased funding for SCORE (Governor’s Select Committee on Recycling and the Environment), and increased funding for CAP (Capital Assistance Program).

ZONING

Additional funding for subsurface treatment system and well-enforcement

Fillmore County has spent a substantial amount of time and money enforcing the SSTS (subsurface treatment system A/K/A septic systems) Rules which were promulgated by Minnesota Pollution Control Agency (MPCA) (See 7080 Rules). Much of the enforcement for SSTS systems, water protection, and wells has fallen on the County. Consequently, additional compliance funding should be directed to the County/local level to insure compliance.

Flood Elevations

Support state funding to the Minnesota Department of Resources for purposes of establishing ordinary high water and 100 year flood elevations on public waters.

NRBG Funding

Fillmore County supports increased Natural Resources Block Grant (NRBG) funding and greater flexibility for the use of the funding. MACPZA also supports administering and allocating current NRBG funding for mandated state programs through the Minnesota Department of Revenue, similar to County Program Aid. Allocations for mandated state programs through the NRBG should not be considered grants.

SSTS Licensing modifications

Fillmore County supports modifications to the SSTS licensing programs to ensure tests are consistent with course materials and Minnesota Rules 7080-7083.

VETERANS SERVICES

CVSO Grants

CVSO grant monies allow us to do things that are not possible within our budgets, and allow for greater assistance for the veterans we serve.

- Fillmore County asks legislators to continue supporting the CVSO grants.

Veterans Home

Fillmore County supports adequate funding for the staffing of the new veteran’s home. MDVA is anticipating on obtaining the federal match of 65% to build the new veterans home.

Fillmore County supports the Association of Minnesota Counties Legislative Policy Positions for 2020. We have provided a physical copy the 2020 AMC Policy Committee Priorities and the link for the 2020 AMC Legislative Priorities is:

http://cms.revize.com/revize/mncounties/document_center/Legislative/2020/AMC%20Policy%20Priorities%202020.pdf

And the 2020 AMC Legislative Platform is:

http://cms.revize.com/revize/mncounties/document_center/Legislative/2020/AMC%20Federal%20Priorities%202020.pdf