



Association of Minnesota Counties

125 Charles Avenue, Saint Paul, MN 55103-2108 | Main Line/Switchboard: 651-224-3344, Fax: 651-224-6540 | www.mncounties.org

May 4, 2021

Senator Warren Limmer
Senator Andrew Mathews
Senator Mark Johnson
Senator Bill Ingebrigtsen
Senator Ron Latz

Representative Carlos Mariani
Representative Jamie Becker-Finn
Representative Kelly Moller
Representative Cedrick Frazier
Representative Tim Miller

Dear Members of the Conference Committee on S.F. 970/H.F. 1030:

On behalf of the Association of Minnesota Counties (AMC), a voluntary association representing all 87 counties, we want to thank you for your work on the Judiciary and Public Safety omnibus bill. We appreciate the opportunity to outline our perspective on how various proposals from both the Senate and House versions of S.F. 970 impact county government for your strong consideration as you move forward.

AMC 2021 Priorities

- **Community Corrections Act Subsidy and County Probation Officer Reimbursement** – AMC supports the language in the *Senate Art. 1, sec. 15, subd. 3(a)-(b)*, that appropriates ongoing funding of \$1.25 million per year to the Community Corrections Act (CCA) subsidy and \$350,000 per year to the county probation officer (CPO) reimbursement. The ongoing nature of the funding is vital to ensuring that counties can provide evidence-based practices for community supervision that reduce recidivism and ensure clients receive the support and resources they need to change their behavior and be successful members of the community.
- **Probation Funding Working Group** – AMC supports *House Art. 2, sec. 6, subd. 3(c), line 26.21 (S.F. 970 First Unofficial Engrossment - House Language)*, that establishes a probation working group to study supervision services and funding across the state and develop recommendations for legislative changes. Counties have been advocating for a single, needs-based funding stream for corrections for years. AMC believes the working group is an important step to ensure uniform core probation services throughout the state and the restoration of the 50/50 county state partnership. AMC *does not* support the language that makes county funding contingent on the report from the working group. Adequate funding for vital public safety services provided by counties should not be intertwined with a working group's recommendations.
- **Local Government Emergency Management Grants** – AMC supports the inclusion of a \$3 million appropriation for local emergency management grants in *House Art. 2, sec. 3, subd. 2(a)*. The \$3 million for fiscal year 2022/2023 is a necessary appropriation for grants in equal amounts (approximately \$30,000) to emergency management departments in the 87 counties, 11 federally recognized tribes, and four cities of the first class, for planning and preparedness activities.

- **911 Telecommunications Service Fee** – AMC supports the removal of the reduction of the 95¢ 911 telecommunications service fee in *House Art. 15, sec. 25*. As with all technology, the 911 system is rapidly evolving and in need of constant upgrades. Because most 911 systems were originally built using analog rather than digital technologies, public safety answering points (PSAPs) across the country need to be upgraded to a digital or Internet Protocol (IP)-based 911 system, commonly referred to as Next Generation 911. Minnesota's ability to upgrade may be compromised if the 911 telecommunications fees is reduced. This provision will continue the fee at 95¢ as it has been since 2016. Local governments have expressed a need for increased funding to keep up with technology demands and to continue the GIS mapping required for NextGen911. The preservation of these funds may also help fund recommendations from the 911 telecommunicator taskforce proposed in both the Senate and House versions of the bill.

Other Policy and Finance Provisions

- **Courthouse Safety Grants** – AMC has long supported efforts to assist counties in funding and operating facilities for District Courts, court administration, and court security. The courthouse safety grants of \$1 mil. in both versions of S.F. 970 will provide the necessary state support for counties to ensure that courthouses remain safe.
- **Use of Deadly Force Statute Effective Date** – AMC appreciates the includes of the extended effective date for 2020 amendment to the use of deadly force statute. The language will ensure necessary training for law enforcement is provided in compliance with the guidance issued by the Department of Public Safety in February 2021.
- **Remote Marriage License Applications** – Counties support the provision in *House Art. 7, sec. 6*, providing ongoing authority to accept marriage license applications remotely. Over the last year, counties have accepted marriage license applications remotely and it has been popular and convenient for the public. The provision has bipartisan, bicameral support. In addition to the provision in the House version of the bill, the Senate Civil Law Committee passed a standalone bill (S.F. 697) out of committee, which is awaiting action on the Senate floor.
- **Neuropsychological Examination in PSI** – AMC supports the language in *Senate Art. 2, sec. 14*, that requires the state court administrator to conduct a feasibility study for requiring courts to order that certain individuals convicted of felony-level criminal offenses undergo a neuropsychological examination to determine whether the individual had a mental impairment that caused the individual to lack substantial capacity for judgment when the offense was committed. The House bill includes a provision that was proposed in 2021 but was also proposed in H.F. 1864 during the 2020 legislative session. The local impact note from 2020 estimated a cost to counties of \$8.6 million. The feasibility study would help the state determine how to fund these examinations, and whether the requirement for an examination is feasible in areas with less resources and inconsistent access to medical providers that are able to perform the examinations.
- **Child Protection Parental Representation** – AMC has concerns regarding *House Art. 4, sec. 2*. The bill originally included funding to support counties for the cost of providing representation for parents in child protection cases. The funding was removed by amendment in one of the final committee hearings, despite the expansion of an already unfunded mandate to counties. The

provision is not included in the S.F. 970, but is included with funding in *H.F. 2128 – First Unofficial Engrossment – Senate Language*. Though the funds are not enough to compensate counties for the services provided, the provision in *H.F. 2128 – First Unofficial Engrossment – Senate Language* is the preferred language, and we urge the conference committee to remove the language from S.F. 970 and encourage the conference committee on H.F. 2128 to adopt the language in their bill.

The Association of Minnesota Counties sincerely appreciates your consideration of these perspectives. Should you have any questions about the information provided above, please do not hesitate to reach out to your local county commissioners or AMC policy analyst Carli Stark at cstark@mncounties.org or 651-789-4335.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carli Stark', with a stylized flourish at the end.

Carli Stark
Public Safety Policy Analyst
Association of Minnesota Counties

CC: Angela Cook, Senate Judiciary and Public Safety Committee Administrator
Jamael Lundy, House Judiciary and Criminal Justice Reform Finance and Policy Division
Committee Administrator
Rachel Ganani, House Judiciary and Civil Law Division Committee Administrator