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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3187

04/03/2023 Authored by Wiens, Dotseth, Nash, Hudella, Nadeau and others
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to metropolitan government; prohibiting the Metropolitan Council from
1.3 requiring a local unit of government to amend its comprehensive plan under certain
1.4 circumstances; amending Minnesota Statutes 2022, section 473.856.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 473.856, is amended to read:

1.7 473.856 METROPOLITAN SYSTEM STATEMENTS; AMENDMENTS.

1.8 (a) The council shall prepare and transmit to each affected local governmental unit a
1.9 metropolitan system statement when the council updates or revises its comprehensive
1.10 development guide for the metropolitan area in conjunction with the decennial review
1.11 required under section 473.864, subdivision 2, and when the council amends or modifies a
1.12 metropolitan system plan. The statement shall contain information relating to the unit and
1.13 appropriate surrounding territory that the council determines necessary for the unit to consider
1.14 in reviewing the unit's comprehensive plan. The statement may include:

1.15 (1) the timing, character, function, location, projected capacity, and conditions on use
1.16 for existing or planned metropolitan public facilities, as specified in metropolitan system
1.17 plans, and for state and federal public facilities to the extent known to the council; and

1.18 (2) the population, employment, and household projections which have been used by
1.19 the council as a basis for its metropolitan system plans.

1.20 (b) Within nine months after receiving a system statement for an amendment to a
1.21 metropolitan system plan, and within three years after receiving a system statement issued
1.22 in conjunction with the decennial review required under section 473.864, subdivision 2,

2.1 each affected local governmental unit shall review its comprehensive plan to determine if
2.2 an amendment is necessary to ensure continued conformity with metropolitan system plans.
2.3 If an amendment is necessary, the governmental unit shall prepare the amendment and
2.4 submit it to the council for review pursuant to sections 462.355, 473.175, and 473.851 to
2.5 473.871.

2.6 (c) Notwithstanding any law or rule to the contrary, the council may not require a local
2.7 governmental unit to amend its comprehensive plan to conform with metropolitan system
2.8 plans until the council has secured, acquired, or otherwise arranged all resources required
2.9 by a state or federal agency to accommodate increased population density in the local
2.10 governmental unit's jurisdiction. For the purposes of this paragraph, "resources" includes
2.11 but is not limited to potable water, real property, easements, and permits.

2.12 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
2.13 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
2.14 Scott, and Washington.