



Legislation Text

File #: Res. 2017-024, **Version:** 1

City Council Meeting Date: March 21, 2017

To: Mayor and City Council

From: Ben Martig, City Administrator

Consider Resolution Opposing Pre-Exemption Laws.

Action Requested:

The Northfield City Council approves a Resolution Opposing Pre-Exemption Laws.

Summary Report:

A growing number of state governments across the nation are introducing legislation to establish laws that would nullify municipal authority—a tactic known as pre-emption. The National League of Cities <http://www.nlc.org/> (NLC) released a new report in February, entitled “City Rights in an Era of Pre-emption,” that examines the prevalence of state pre-emption in seven key policy areas, including minimum wage, paid leave, anti-discrimination, home sharing, ride sharing, municipal broadband, and tax and expenditure limitations.

The report notes that “Proponents of pre-emption argue that it equalizes laws across the state, preventing individuals and firms from navigating a patchwork of regulation. Pre-emption creates a problem, though, because it means a loss of local control for cities.”

In Minnesota, a League of Minnesota Cities opposed bill that pre-empts local governments from regulating wages <https://www.lmc.org/page/1/Pre-emption-Employment.jsp>, benefits, terms of employment, working conditions or attendance policies for private employers is making its way through the state Legislature. Additionally, legislation that prohibits local ordinances that would ban or tax paper or plastic bags <https://www.lmc.org/page/1/PackagingPre-emption.jsp> cleared House and Senate committees in late February.

The League of Minnesota Cities has consistently supported the principle of local control. League legislative policy (SD 2) states that, “City government most directly impacts the lives of people and therefore, local units of government must have sufficient authority and flexibility to meet the challenges of governing and providing citizens with public services.”

NLC advises city officials to review “City Rights in an Era of Pre-emption” and closely follow news and developments about the issue communicated by their state municipal leagues. News about state legislative efforts related to pre-emption in Minnesota will be featured and updated in future issues of the LMC publication *Cities Bulletin* and through legislative alerts for the duration of the state legislative session. Attached is a resolution that would establish the City position opposing local pre-emption laws.

Alternative Options:

Financial Impacts:

Not applicable.

Tentative Timelines:

Upon approval, staff would submit our resolution to the League of Minnesota Cities, the National League of Cities, our local Legislators and Governor Dayton.