



CGMC Annexation & Land Use Program Chronology of Legislative Activities, 1991-2018

1991: CGMC conducts case analysis of annexation process in Minnesota

Two primary findings:

1. Annexations are likely to fail when there is significant controversy or township opposition because of constraints contained in the law.
2. There appears to be a statutory and procedural bias against annexation; decisions appear to be based on political rather than evidentiary or factual determinations.

Based on these findings, the CGMC report makes three primary recommendations:

1. Restructure contested annexation process so cities can take cases to an Administrative Law Judge, or alternatively, eliminate the Minnesota Municipal Board (MMB).
2. Reduce the discretion of the MMB by making annexation a requirement, not an option.
3. Reduce the statutory and procedural bias against annexation by eliminating the election requirement and the county commissioners on the MMB.

1992: Vote repealed and 60-acre provision passes

CGMC successfully lobbies to repeal the township annexation election/voting requirement, and lobbies for and passes the 60-acre annexation by ordinance provision allowing for automatic annexation without a hearing for property owner petitioned annexations under 60 acres.

1993: CGMC seeks to eliminate MMB and fights to protect 1992 changes

CGMC proposes legislation to eliminate the MMB or change its composition. The townships introduce legislation to repeal the 1992 changes, which the CGMC successfully lobbies to defeat. CGMC also participates in interim hearings on the annexation process.

1994: Townships seek vote and CGMC wins La Crescent case

CGMC successfully lobbies to defeat township legislation to repeal the 1992 law changes. CGMC also wins the La Crescent Court of Appeals case, with the court holding that the 1992 changes are valid and do not interfere with the orderly annexation process. CGMC produces an annexation video for lobbying purposes.

1995: Interim hearings process

CGMC introduces legislation to eliminate the MMB. The townships again introduce legislation to repeal the 1992 changes. CGMC successfully negotiates a process for hearing annexation bills over the interim.

1996: CGMC builds support for sunset of MMB

CGMC introduces legislation to restructure the annexation process and to require automatic annexation if a city is ordered to provide services. The CGMC builds support for this legislation and successfully opposes efforts by the townships to reinstate the annexation election requirement.

1997: MMB sunset passes

CGMC successfully lobbies for a compromise agreement with cities, townships and counties to eliminate the MMB effective Dec. 31, 1999 and passes legislation that if the Minnesota Pollution Control Agency requires a city to provide services, the city can automatically annex the area ordered to be served.

1998: CGMC defeats MMB sunset extension

CGMC successfully lobbies against efforts to extend the sunset of the MMB from 1999 to 2002. CGMC negotiates to protect the changes made in 1997 and implement the agreement between cities, counties and townships. CGMC also makes changes to the Community-based Planning Act so that planning remains a local function and successfully lobbies against certain property rights amendments.

1999: MMB sunsets and process is restructured

CGMC successfully lobbies to uphold the 1997 agreement to sunset the MMB. When the MMB unexpectedly resigns, the Legislature moves the date of the sunset up to June 1, 1999. CGMC also begins negotiations to replace and restructure the contested annexation process with a new alternative dispute resolution process or a hearing before an Administrative Law Judge. CGMC defeats efforts by the townships to reinstate the annexation election requirement.

2000: Clarification bill passes

CGMC successfully lobbies to pass a bill clarifying that the Minnesota Planning Agency has the authority to transfer contested cases for a binding decision by an Administrative Law Judge. CGMC also successfully lobbies against a bill to reinstate the annexation election requirement.

2001: New anti-annexation group forms

Townships dissatisfied with progress form a more aggressive anti-annexation lobbying group called the Local Government Alliance. This group, along with the Minnesota Association of Townships (MAT), begins an effort to restore the annexation election requirement, reinstate the MMB process, eliminate the 60-acre provision and eliminate a city's ability to annex an area that it is ordered to provide services to. CGMC successfully lobbies the House, Senate and Governor to take the position to not make any changes to annexation law in 2001 in order to give the new annexation process a chance to work. The CGMC also appears and testifies at interim hearings on the successes and failures of the new process.

2002: Cities defeat right to vote

Based on efforts in 2001, the township groups begin an aggressive campaign to reinstate the annexation election requirement. Following interim hearings, the House decides to hear the townships' bills. CGMC successfully lobbies to defeat the legislation in the House Local Government Committee and successfully lobbies the Senate not to hear any annexation election bills. CGMC also assists in passing a Minnesota Planning Agency technical corrections bill to conform annexation statutes to finalize the elimination of the MMB.

2003: CGMC strives to protect neutral annexation process

CGMC stops the townships' efforts to weaken annexation laws and reinstate the annexation election requirement. CGMC protects neutral oversight by ensuring that the Department of Administration oversees future boundary adjustments after the elimination of the Minnesota Planning Agency.

2005: CGMC stops legislation to prohibit annexations

CGMC helps prevent legislation that would have prohibited annexations from taking effect between the "opening of filing for a previously scheduled municipal election of the municipality which is annexing the unincorporated land and the issuance of the certificate of election to the candidates elected at the election." Another provision stated that "no annexation by a municipality shall be effective during the period from the opening of filing for any previously scheduled municipal election until after the end of the contest period for that election."

2006: Annexation consensus bill passes

The bill contains an expansion of the 60-acre rule and brings both sides of the debate together for long-term negotiations. Municipal Boundary Adjustment Advisory Taskforce established into law.

2007: Legislation extends taskforce

The taskforce established in the 2006 law was never formed. Consensus legislation was passed to extend the Municipal Boundary Adjustment Advisory Taskforce another year. Also, the temporary 120-acre extension passed in 2006 is made permanent in 2007.

2008: Technical bill to fix and update statute passes

Legislation that would limit city reimbursement to townships to tax reimbursement fails to advance, as does legislation that would provide equal footing for competing annexations. The Municipal Boundary Adjustment Advisory Taskforce meets to address difficult issues.

2009: CGMC launches significant reform package

CGMC's legislation is modeled in part on the Minnesota Climate Change Advisory Group and aims to address budget crunches and the need to protect the environment. The legislation achieves limited success due to township opposition. The Municipal Boundary Adjustment Advisory Taskforce completes its work without achieving consensus on controversial issues.

2010: No action on separate bills proposed by CGMC, townships

CGMC introduces legislation to define urban/suburban in character, prohibit per-acre fees and prohibit new municipal incorporations. The townships introduce legislation to require elections and to block cities from using annexation by ordinance if there is an existing orderly annexation agreement with a different city. No action is taken on any of the legislation.

2012: Townships fail to make progress on legislation

The townships introduce legislation that would severely restrict a city's ability to annex property via the contested case process or the annexation by ordinance process; the legislation does not advance. CGMC, LMC and MAT participate in a taskforce to reform portions of the detachment law.

2013: Legislature hears township bill after deadline

The townships introduce legislation late in the session that would prevent a city from exercising its right to annex if the property is already the subject of an orderly annexation. The bill would also prohibit annexation of property that has been subdivided in the previous five years. Despite missing committee deadlines, the bill was heard in May but was laid over without action.

2014-2016: Cities, townships work together on annexation reform bill

CGMC, LMC, MAT and the Office of Administrative Hearings meet repeatedly regarding a reform bill to clean up the Municipal Boundary Adjustment Chapter. Despite this work and consensus on almost all issues, the effort falls apart when new MAT staffers raise a series of new objections.

2017-2018: CGMC pushes back against harmful legislation

CGMC successfully lobbies against legislation introduced by the townships that would bar a city from exercising its annexation rights if the township has entered into an orderly annexation agreement with a different city.