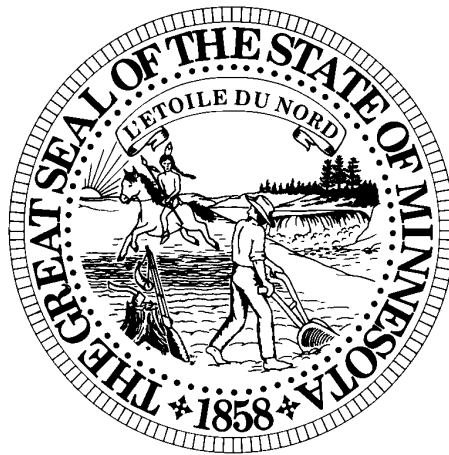

Survey of Local Governments

On July 28, 1999, we sent the following questionnaire to all 87 county administrators/auditors in the state. We replaced the word “county” with either “city” or “town” and sent the same questionnaire to all 79 city managers/administrators from large cities (those with 10,000 or more residents), a random sample of 288 city clerks from small cities (those with populations under 10,000), and a random sample of 200 town clerks.

Office of the Legislative Auditor

State of Minnesota



Questionnaire on STATE MANDATES

Affix label here

Please return in postage-paid envelope by August 18, 1999.

STATE MANDATES QUESTIONNAIRE

July 1999

Office of the Legislative Auditor Program Evaluation Division

GENERAL INSTRUCTIONS:

Please complete this questionnaire about your county's views regarding state mandates on local government. It is designed to obtain opinions on state mandates in general and to identify specific mandates that help illustrate the concerns of local governments. The first two sections of this questionnaire focus on programs, services, or activities that the state requires local governments to perform, including conditions of receiving aid. The next sections refer to restrictions the state places upon local governments' ability to implement local programs or requirements or to raise revenue. The last two sections cover mechanisms created to deal with state mandates and state-local relationships.

Our study addresses mandates created by the Legislature in laws and by state agencies in rules. Federal requirements and restrictions are included in our study only if the state has adopted provisions that go beyond federal provisions.

Please answer this questionnaire from the perspective of your county, based upon your professional experience. To help ensure that your responses accurately reflect your county's opinions, we encourage you to get the input of county board members, department directors, or others you believe will help reflect your county's viewpoint. Please return only one questionnaire for your county. Because we are posing the same set of questions to county, city, and township administrators, some questions may not apply to your jurisdiction. In these instances, answer by checking "Not Applicable." *Unless otherwise indicated, please provide only one response per question.*

If any of your answers require additional explanation, please provide it in the margins or on another sheet of paper. When finished, sign the questionnaire and **return it in the enclosed postage-paid envelope by August 18, 1999**. Feel free to enclose any additional materials that you think may assist us in our study.

If you have any questions about this questionnaire or our study, please contact Jo Vos, project manager (651/296-1233), or e-mail her at jo.vos@state.mn.us

Signature: _____ Date: _____

Position: _____ Telephone: _____

County: _____ e-mail: _____

Number of permanent staff (in full-time equivalents) employed by your county as of July 1, 1999: _____

FIRST, WE'D LIKE TO GET YOUR OVERALL IMPRESSIONS OF THE *REQUIREMENTS* THAT THE STATE PLACES ON COUNTIES.

We use the word "**requirements**" to refer to state laws or rules that require local government to provide a service, perform a service in a certain way, or meet an outcome or goal, including those resulting from conditions of aid.

1a. Overall, what impact do you think state requirements have on your county's ability to do its job well?

- 1 State requirements make it considerably more difficult.
 2 State requirements make it somewhat more difficult.
 3 State requirements have little or no impact. (Go to Question 2.)
 4 State requirements make it somewhat easier. (Go to Question 2.)
 5 State requirements make it considerably easier. (Go to Question 2.)
 8 Don't know (Go to Question 2.)

1b. If state requirements make it more difficult, is it primarily due to specific state requirements or to the cumulative impact of state requirements?

- 1 Specific requirements
 2 Cumulative impact of requirements
 8 Don't know

Questions 2 through 4 focus on **three different types of requirements** that the state might place on local government. The first type requires counties to provide certain programs or services or to meet certain goals or outcomes, but gives them latitude in how to do this. The second type requires counties to provide certain programs or services, but according to specific state standards. The third type requires counties to follow certain procedural or reporting requirements. Please indicate your level of agreement with each of the following statements, considering your county's overall experience with each type of requirement.

2. In general, state laws or rules that require my county to provide certain programs or services or meet certain goals or outcomes, but give us latitude in how to do this, usually:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
a. allow for sufficient flexibility.	1	2	3	4	5	7
b. lead to financial problems.	1	2	3	4	5	7
c. are adequately supported with state funds.	1	2	3	4	5	7
d. address concerns that are not problems locally.	1	2	3	4	5	7
e. make it difficult to address local priorities.	1	2	3	4	5	7
f. preempt local authority.	1	2	3	4	5	7
g. address problems that might be difficult to address locally because of resistance.	1	2	3	4	5	7

3. In general, state laws or rules that require my county to provide certain programs or services according to *specific state standards* usually:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
a. allow for sufficient flexibility.	1	2	3	4	5	7
b. lead to financial problems.	1	2	3	4	5	7
c. are adequately supported with state funds.	1	2	3	4	5	7
d. address concerns that are not problems locally.	1	2	3	4	5	7
e. make it difficult to address local priorities.	1	2	3	4	5	7
f. preempt local authority.	1	2	3	4	5	7
g. address problems that might be difficult to address locally because of resistance.	1	2	3	4	5	7

4. In general, state laws or rules that require my county to follow certain procedural or reporting requirements usually:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
a. allow for sufficient flexibility.	1	2	3	4	5	7
b. lead to financial problems.	1	2	3	4	5	7
c. are adequately supported with state funds.	1	2	3	4	5	7
d. address concerns that are not problems locally.	1	2	3	4	5	7
e. make it difficult to address local priorities.	1	2	3	4	5	7
f. preempt local authority.	1	2	3	4	5	7
g. address problems that might be difficult to address locally because of resistance.	1	2	3	4	5	7

5. Please indicate whether you think it is generally *appropriate* for the state to place requirements on counties in each of the following areas of local government. If your county does not provide services in a particular area, please circle “Not Applicable.”

For this question, “*appropriate*” means that you think the state has a justifiable reason for, or interest in, requiring minimum standards or services in that particular area.

Area of Local Government	State Requirements Are					
	Appropriate if Fully State-Funded	Appropriate if Partially State-Funded	Appropriate with No State Funding	Not Appropriate Regardless of State Funding	Not Applicable	Don't Know
a. General government (personnel, budget, finance, taxation, etc.)	1	2	3	4	7	8
b. Public safety (police, fire, corrections, etc.)	1	2	3	4	7	8
c. Infrastructure (buildings, roads, transportation, sewers, airports, etc.)	1	2	3	4	7	8
d. Environment (wetlands, pollution control, recycling, etc.)	1	2	3	4	7	8
e. Recreation and culture (parks, libraries, etc.)	1	2	3	4	7	8
f. Human services (income maintenance, child protection, etc.)	1	2	3	4	7	8

Question 5, continued ...

Area of Local Government	State Requirements Are					
	Appropriate if Fully State-Funded	Appropriate if Partially State-Funded	Appropriate with No State Funding	Not Appropriate Regardless of State Funding	Not Applicable	Don't Know
g. Health services (vital statistics, immunizations, etc.)	1	2	3	4	7	8
h. Economic development (planning, zoning, tax increment financing, etc.)	1	2	3	4	7	8
i. Other (<i>specify</i>): _____	1	2	3	4	7	8

6. Now, please indicate how *reasonable*, in general, you think state requirements are in the following areas of local government. If your county does not provide services in a particular area, please circle "Not Applicable."

"Reasonable" means that, overall, you think state requirements in the area contain acceptable procedural requirements for providing services or set appropriate standards for the quality of service. **"Unreasonable"** means that, overall, state requirements in the area (a) require inappropriate types or levels of service for your county, (b) are inflexible or restrict local ability to implement cost-effective alternatives, or (c) are antiquated or no longer relevant.

Area of Local Government	Overall, State Requirements in this Area Are					
	Very Reasonable	Reasonable	Unreasonable	Very Unreasonable	Not Applicable	Don't Know
a. General government (personnel, budget, finance, taxation, etc.)	1	2	3	4	7	8
b. Public safety (police, fire, corrections, etc.)	1	2	3	4	7	8
c. Infrastructure (buildings, roads, transportation, sewers, airports, etc.)	1	2	3	4	7	8
d. Environment (wetlands, pollution control, recycling, etc.)	1	2	3	4	7	8
e. Recreation and culture (parks, libraries, etc.)	1	2	3	4	7	8
f. Human services (income maintenance, child protection, etc.)	1	2	3	4	7	8
g. Health services (vital statistics, immunizations, etc.)	1	2	3	4	7	8
h. Economic development (planning, zoning, tax increment financing, etc.)	1	2	3	4	7	8
i. Other (<i>specify</i>): _____	1	2	3	4	7	8

7a. Since January 1994, has your county had to do any of the following specifically to help cover the cost of state requirements?

	Yes	No	Don't Know
a. Increase local taxes	1	2	8
b. Increase fees or other charges	1	2	8
c. Reduce levels of local services	1	2	8
d. Forgo local priorities	1	2	8
e. Other (specify): _____	1	2	8

7b. If yes to any of the above activities, please describe what your county has done.

NEXT, WE'D LIKE TO KNOW ABOUT SPECIFIC STATE REQUIREMENTS THAT CREATE PROBLEMS FOR, OR ARE OBJECTIONABLE TO, YOUR COUNTY.

Question 8 asks you to identify up to three state requirements that create the most problems for, or are the most objectionable to, your county. If state requirements are not a problem for, or are not objectionable to, your county, please skip to Question 24.

8. Please describe up to three state requirements that create the most problems for, or are the most objectionable to, your county, with "a" being of most concern to your county. Be specific in describing the requirement and why it is a problem or is objectionable. If possible, include statutory or administrative rule citations.

a. First requirement:

b. Second requirement:

c. Third requirement:

Now, thinking about the requirement that you identified in Question 8(a), please answer Questions 9 through 13. If you did not identify any requirements in Question 8, go to Question 24.

9. Which of the following statements explains why your county has problems with, or objects to, this particular state requirement? (Check all that apply.)

- a. It preempts local authority.
- b. It makes us do something that we would not otherwise do or would do to a lesser extent.
- c. It is designed in a way that makes it difficult for us to implement.
- d. We could probably meet the goals of the requirement in a less financially or administratively burdensome way.
- e. State funding for the requirement is insufficient to cover its cost.
- f. It does not take into consideration our local circumstances.
- g. It specifies how we must comply rather than setting overall goals for us to meet as we see fit.
- h. Other (*specify*): _____

10. If you checked more than one response in Question 9, please indicate which one of your responses is the *primary* reason your county has problems with, or objects to, this requirement.

11. Did your county offer a similar service or perform a similar activity before it became a state requirement?

- 1 Yes
- 2 No
- 3 Partially
- 7 Not applicable
- 8 Don't know

12. How do you think your county's expenditures on the required activity or service would be affected over the next five years if the state immediately discontinued the requirement?

- 1 Probably increase significantly
- 2 Probably increase somewhat
- 3 Probably stay about the same
- 4 Probably decrease somewhat
- 5 Probably decrease significantly
- 8 Don't know

13. Please describe how your county would likely respond if the state discontinued this particular requirement. (Be specific.)

Thinking about the requirement that you identified in Question 8(b), please answer Questions 14 through 18. If you did not identify a requirement in Question 8(b), go to Question 24.

14. Which of the following statements explains why your county has problems with, or objects to, this particular state requirement? (Check all that apply.)

- a. It preempts local authority.
- b. It makes us to do something that we would not otherwise do or would do to a lesser extent.
- c. It is designed in a way that makes it difficult for us to implement.
- d. We could probably meet the goals of the requirement in a less financially or administratively burdensome way.
- e. State funding for the requirement is insufficient to cover its cost.
- f. It does not take into consideration our local circumstances.
- g. It specifies how we must comply rather than setting overall goals for us to meet as we see fit.
- h. Other (specify): _____

15. If you checked more than one response in Question 14, please indicate which one of your responses is the primary reason your county has problems with, or objects to, this requirement.

16. Did your county offer a similar service or perform a similar activity before it became a state requirement?

- 1 Yes
- 2 No
- 3 Partially
- 7 Not applicable
- 8 Don't know

17. How do you think your county's expenditures on the required activity or service would be affected over the next five years if the state immediately discontinued the requirement?

- 1 Probably increase significantly
- 2 Probably increase somewhat
- 3 Probably stay about the same
- 4 Probably decrease somewhat
- 5 Probably decrease significantly
- 8 Don't know

18. Please describe how your county would likely respond if the state discontinued this particular requirement. (Be specific.)

Thinking about the requirement that you identified in Question 8(c), please answer Questions 19 through 23. If you did not identify a requirement in Question 8(c), go to Question 24.

19. Which of the following statements explains why your county has problems with, or objects to, this particular state requirement? (Check all that apply.)

- a. It preempts local authority.
- b. It makes us do something that we would not otherwise do or would do to a lesser extent.
- c. It is designed in a way that makes it difficult for us to implement.
- d. We could probably meet the goals of the requirement in a less financially or administratively burdensome way.
- e. State funding for the requirement is insufficient to cover its cost.
- f. It does not take into consideration our local circumstances.
- g. It specifies how we must comply rather than setting overall goals for us to meet as we see fit.
- h. Other (specify): _____

20. If you checked more than one response in Question 19, please indicate which one of your responses is the primary reason your county has problems with, or objects to, this requirement.

21. Did your county offer a similar service or perform a similar activity before it became a state requirement?

- 1 Yes
- 2 No
- 3 Partially
- 7 Not applicable
- 8 Don't know

22. How do you think your county's expenditures on the required activity or service would be affected over the next five years if the state immediately discontinued the requirement?

- 1 Probably increase significantly
- 2 Probably increase somewhat
- 3 Probably stay about the same
- 4 Probably decrease somewhat
- 5 Probably decrease significantly
- 8 Don't know

23. Please describe how your county would likely respond if the state discontinued this particular requirement. (Be specific.)

NOW WE'D LIKE TO GET YOUR GENERAL IMPRESSIONS ON THE RESTRICTIONS THAT THE STATE PLACES ON COUNTIES.

We use the word "**restrictions**" to refer to state laws or rules that prevent a local government from providing a service, adopting local requirements, or raising revenue.

24. Overall, what impact do you think state restrictions have on your county's ability to do its job well?

- 1 State restrictions make it considerably more difficult.
- 2 State restrictions make it somewhat more difficult.
- 3 State restrictions have little or no impact.
- 4 State restrictions make it somewhat easier.
- 5 State restrictions make it considerably easier.
- 7 Not applicable
- 8 Don't know

Questions 25 and 26 focus on **two different types of restrictions** that the state might place on local government. The first type of restriction limits counties' ability to engage in certain services or activities or to adopt local requirements. The second type limits counties' ability to raise revenue through local taxes, fees, or special assessments. Please indicate your level of agreement with each of the following statements, considering your county's overall experience with each type of restriction.

25. In general, state laws or rules that restrict my county’s ability to engage in certain services or activities or to adopt local requirements usually:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
a. create administrative problems.	1	2	3	4	5	7
b. lead to financial problems.	1	2	3	4	5	7
c. address concerns that are not problems locally.	1	2	3	4	5	7
d. make it difficult to address local priorities.	1	2	3	4	5	7
e. preempt local authority.	1	2	3	4	5	7
f. set justifiable limits on local government.	1	2	3	4	5	7

26. In general, state laws and rules that restrict my county’s ability to raise revenue through local taxes, fees, or special assessments usually:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
a. create administrative problems.	1	2	3	4	5	7
b. lead to financial problems.	1	2	3	4	5	7
c. address concerns that are not problems locally.	1	2	3	4	5	7
d. make it difficult to address local priorities.	1	2	3	4	5	7
e. preempt local authority.	1	2	3	4	5	7
f. set justifiable limits on local government.	1	2	3	4	5	7

NOW WE’D LIKE TO KNOW ABOUT SPECIFIC STATE RESTRICTIONS THAT CREATE PROBLEMS FOR, OR ARE OBJECTIONABLE TO, YOUR COUNTY.

Question 27 asks you to identify up to three state restrictions that create the most problems for, or are the most objectionable to, your county. If state restrictions are not a problem for, or are not objectionable to, your county, please skip to Question 38.

27. Please describe up to three state restrictions that create the most problems for, or are the most objectionable to, your county, with “a” being of most concern to your county. Be specific in describing the restriction and why it is a problem or is objectionable. If possible, include statutory or administrative rule citations.

a. First restriction: _____

b. Second restriction: _____

c. Third restriction: _____

Now, thinking about the restriction that you identified in Question 27(a), please answer Questions 28 through 30. If you did not identify any restrictions in Question 27, go to Question 38.

28. Which of the following statements explains why your county has problems with, or objects to, this particular restriction? (Check all that apply.)

- a. It preempts local authority.
- b. It hampers our ability to raise funds.
- c. It prevents us from providing certain services or performing certain activities.
- d. It does not take into consideration our local circumstances.
- e. Other (specify): _____

29. If you checked more than one response in Question 28, please indicate which one of your responses is the *primary* reason your county has problems with, or objects to, the restriction.

30. Please describe how your county would likely respond if the state discontinued the restriction. (Be specific.)

Thinking about the restriction that you identified in *Question 27(b)*, please answer Questions 31 through 33. If you did not identify a restriction in *Question 27(b)*, go to *Question 37*.

31. Which of the following statements explains why your county has problems with, or objects to, this particular restriction? (Check all that apply.)

- a. It preempts local authority.
- b. It hampers our ability to raise funds.
- c. It prevents us from providing certain services or performing certain activities.
- d. It does not take into consideration our local circumstances.
- e. Other (*specify*): _____

32. If you checked more than one response in Question 31, please indicate which one of your responses is the *primary* reason your county has problems with, or objects to, the restriction.

33. Please describe how your county would likely respond if the state discontinued the restriction. (Be specific.)

Thinking about the restriction that you identified in *Question 27(c)*, please answer Questions 34 through 36. If you did not identify a restriction in *Question 27(c)*, go to *Question 37*.

34. Which of the following statements explains why your county has problems with, or objects to, this restriction? (Check all that apply.)

- a. It preempts local authority.
- b. It hampers our ability to raise funds.
- c. It prevents us from providing certain services or performing certain activities.
- d. It does not take into consideration our local circumstances.
- e. Other (*specify*): _____

35. If you checked more than one response in Question 34, please indicate which one of your responses is the *primary* reason why your county has problems with, or objects to, the restriction.

36. Please describe how your county would likely respond if the state discontinued the restriction. (Be specific.)

In Questions 8 and 27, you identified up to six state requirements and restrictions that create problems for, or are objectionable to, your county.

37. Please rank the state requirements and restrictions that you identified in Questions 8 and 27 in order of concern for your county, with “1” being of most concern and “6” being of least concern.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

NEXT, WE’D LIKE TO ASK YOU ABOUT SOME OF THE MECHANISMS MINNESOTA CURRENTLY HAS IN PLACE TO ADDRESS ISSUES REGARDING STATE REQUIREMENTS ON LOCAL GOVERNMENT.

*When the Legislature considers proposed legislation that would place new requirements on local government, legislators may request that **local fiscal impact notes** be prepared. These notes provide cost information about the fiscal impact of the proposed legislation on some local units of government.*

38. Were you aware that the Legislature has created a local fiscal impact note process?

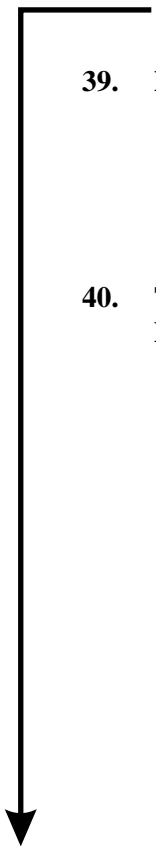
- 1 Yes
- 2 No (*Go to instructions for Question 43a.*)

39. Has your county ever been involved in preparing a local fiscal impact note?

- 1 Yes
- 2 No
- 7 Not applicable
- 8 Don’t know

40. To what extent do you think local fiscal impact notes provide accurate information to the Legislature?

- 1 Information is very accurate.
- 2 Information is somewhat accurate.
- 3 Information is not accurate at all.
- 7 Not applicable
- 8 Don’t know



41. To what extent do you think the Legislature uses the information in local fiscal impact notes when considering a particular state mandate for local governments?

- 1 Uses to a great extent
- 2 Uses somewhat
- 3 Uses not at all
- 7 Not applicable
- 8 Don't know

42. What changes, if any, do you think should be made to the local fiscal impact note process?

The Board of Government Innovation and Cooperation has the authority to provide temporary waivers of administrative rules and procedural laws to local units of government that request them. Individual state agencies can also grant waivers from their administrative rules.

43a. Has your county ever applied to the Board of Government Innovation and Cooperation for a waiver?

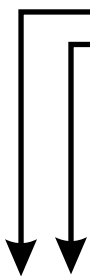
- 1 Yes (Go to Question 44.)
- 2 No
- 8 Don't know (Go to Question 44.)

43b. If no, why not?

44. What changes, if any, should be made to the waiver process through the Board of Government Innovation and Cooperation?

45a. Since January 1994, has your county applied to a state agency for a waiver from a rule?

- 1 Yes
- 2 No (Go to Question 45c.)
- 8 Don't know (Go to Question 46.)



45b. If yes, list the agencies involved and whether the waivers were granted. (Then go to Question 46.)

Agency _____	Waiver Granted?			
	Yes	Partially	No	Don't Know
a. _____	1	2	3	8
b. _____	1	2	3	8
c. _____	1	2	3	8

45c. If you answered no to Question 45(a), please explain why your county has never applied to a state agency for a waiver from a rule.

46. What changes, if any, should be made to state agencies' waiver processes to make them more useful to counties?

FINALLY, WE'D LIKE TO GET YOUR OPINIONS ON COUNTY-STATE RELATIONSHIPS AND RECOMMENDATIONS FOR CHANGE.

47. To what extent do you agree or disagree with the following statements about county-state relationships?

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
a. The Legislature does a good job seeking input from counties about proposed legislation that would place requirements or restrictions on us.	1	2	3	4	5
b. The Legislature is responsive to local concerns when considering proposed legislation that would place requirements or restrictions on us.	1	2	3	4	5
c. Local government associations do a good job of representing my county's concerns about requirements and restrictions before the Legislature.	1	2	3	4	5
d. State agencies do a good job seeking input from counties about proposed rules that would place requirements or restrictions on us.	1	2	3	4	5

Question 47, continued ...

	Strongly <u>Agree</u>	<u>Agree</u>	No <u>Opinion</u>	<u>Disagree</u>	Strongly <u>Disagree</u>
e. State agencies are responsive to local concerns when considering proposed rules that would place requirements or restrictions on us.	1	2	3	4	5
f. State agencies are generally receptive to requests for waivers from rules.	1	2	3	4	5

48. To what extent do you agree or disagree with the following statements?

	Strongly <u>Agree</u>	<u>Agree</u>	No <u>Opinion</u>	<u>Disagree</u>	Strongly <u>Disagree</u>
a. Counties should continue to meet state requirements even if state funding is insufficient.	1	2	3	4	5
b. Counties should have more flexibility when it comes to meeting state requirements.	1	2	3	4	5
c. In exchange for increased flexibility in meeting state requirements, counties should accept a greater portion of the costs.	1	2	3	4	5
d. A state advisory commission on intergovernmental relations should be created to help address state-local issues.	1	2	3	4	5
e. State requirements and restrictions on counties should be accompanied by a clear statement of the Legislature's rationale for creating them.	1	2	3	4	5
f. State requirements and restrictions are an appropriate means of holding counties accountable.	1	2	3	4	5
g. The Legislature should provide more aid to counties to cover the costs of requirements and restrictions.	1	2	3	4	5
h. The Legislature should relax revenue-raising constraints on counties.	1	2	3	4	5
i. State requirements should focus on outcomes rather than specific programs or procedures.	1	2	3	4	5
j. The Legislature should assume greater responsibility for delivering services or administering programs.	1	2	3	4	5

49. If you have any recommendations for how the Legislature could improve the process of passing or reviewing requirements or restrictions on local government, please list them below.

50. If you have any recommendations for how state agencies could improve the process of adopting or reviewing requirements or restrictions on local government, please list them below.

**Thank you for completing this questionnaire.
Please return it in the enclosed envelope by August 18, 1999, to:
The Office of the Legislative Auditor
Program Evaluation Division
Centennial Building - 1st Floor South
St. Paul, MN 55155
(651/296-4708)
(FAX: 651/296-4712)**