

New Laws 2013



A Summary of the 2013 Regular Session

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NEW LAWS

JANUARY 8 - MAY 20, 2013

Bonding

Bonding law funds Capitol renovations and more

Checking in at almost \$176.8 million, including \$156.1 million in general-obligation bonding, a new law contains \$109 million to keep Capitol renovations going.

Sponsored by Rep. John Ward (DFL-Baxter) and Senate Majority Leader Tom Bakk (DFL-Cook), the law is effective May 25, 2013.

This was the third attempt in the session's final days to get a bonding law passed. An \$800 million package that included the ongoing Capitol renovation failed to gain House approval by five votes three days before session adjournment, a vote that Rep. Alice Hausman (DFL-St. Paul), chair of the House Capital Investment Committee, called "tragic." The Senate passed a bill with just the Capitol and parking ramp funding 66-0 two days later.

A master renovation plan was approved in January 2012 by the Capitol Preservation Commission. It provided a conceptual approach to restoration of the Capitol, recommended a \$241 million budget to complete the work and called for a December 2016 completion date.

Lawmakers approved \$37.4 million last session to begin work on restoration of the 108-year-old building and would likely need to fund another \$94 million next year to finish the project.

Under the current plan, the \$109 million will be allocated for things like abatement and demolition in the basement and attic, exterior stone replacement and to begin work on the mechanical and electrical systems. "That money would allow us to do the work that really sets up the restoration work in the body of the building," David Hart, vice president of MOCA Systems, a program, project and construction management firm.

He said the building is at a "tipping point."

"The mechanical systems are really worn out; the electrical systems are no longer really organized. ... I think what happens if we don't move forward with the restoration is that things are going to get to the point where you are constantly going to be in a state of continually having to fund something to

keep the building moving, whether that is stone, whether that is windows, whether it's the artwork or murals on the wall, the mechanical system, the electrical. You're in a position where if you look at many of the buildings in Europe that weren't taken care of properly they're never going to work their way out of those buildings. You don't want that to happen to this building." (Sec. 3)

A \$22.68 million allocation for construction of "one or more a parking facilities in the Capitol Complex ... including to address temporary parking needed during construction of permanent parking facilities." This will be user-financed. According to the law, "Parking fees collected shall be deposited into a state parking account and credited to the debt service account in the state bond fund." (Sec. 3)

Other funding in the law is:

- \$20 million for flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage, including 27 county, township or municipal projects and five watershed projects;
- nearly \$18.94 million as a state match for an expansion at the Minneapolis Veterans Home; and
- \$8 million so the Public Facilities Authority can leverage \$40 million in federal money for the clean water and drinking water revolving funds. (Secs. 2, 4-5)

The law also updates funding uses of dollars allocated in previous years for projects at the Fergus Falls Regional Treatment Center campus, replacement of the Old Cedar Avenue Bridge in Bloomington and extends a 2008 appropriation for a bioscience research park. (Secs. 10-16)

HF1070*/SF960/CH136

Business & Commerce

Regulation of global money transfers

With an increasing number of Minnesotans born in other countries, remittance transfers have become important in the marketplace. Banks and consumers will have additional protections under Minnesota law when sending funds overseas electronically as part of a law, effective March 15, 2013.

Sponsored by Rep. Mike Freiberg (DFL-

Golden Valley) and Sen. Melisa Franzen (DFL-Edina), the provision specifies that Minnesota law will apply to these transfers unless they are preempted by federal law.

"Historically, Minnesota statutes based on the Uniform Commercial Code have regulated remittance transfers, providing protection both to banks and consumers," Freiberg said.

However, the federal Dodd-Frank Reform Act, which instituted a number of financial regulations after the recession began in 2008, did not make it clear whether any law applies to remittance transfers, he said.

HF365*/SF336/CH6

Updates to century-old policy

Mining companies and employees will have an updated list of mine inspection standards.

A new law, sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. David Tomassoni (DFL-Chisholm), will clarify language related to mine inspection policy and require inspectors to have at least two years of practical experience in mining or mining-related safety work.

Effective Aug. 1, 2013, the law will allow counties to abate the nuisance of an abandoned mine through various remedies and recover costs as a special assessment. The law will also require notice of an accident to the inspector of mines within one hour of the stabilization of the scene.

The statute hasn't changed much since it was enacted in 1905, according to Anzelc.

HF1320/SF1291*/CH38

New law aims to prevent wire transfer scams aimed at seniors

After being told to wire money to ship a car she won, Peggy Hiestand-Harri said her mother, who lives on a limited income, was eventually bilked out of \$47,000.

A new law aims to prevent those types of wire transfer scams from taking place.

The law, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Terri Bonoff (DFL-Minnetonka), will allow wire transfer company employees, law enforcement and other individuals to request someone whom they believe could be a

future victim of a scam to be placed on a “No Transmit List” maintained by the commerce commissioner.

Effective Aug. 1, 2013, transmitter companies will be prohibited from authorizing receipt of transfers at unspecified locations and be required to notify senders if their money is being received at unspecified locations. The commissioner will also be allowed to limit the amount of funds wired to countries with high incidences of fraud.

HF194*/SF247/CH50

Private detective licensing exemptions

Certified public accountants and CPA firms performing services regulated under Minnesota law will not need to apply for a private detective license when a new law takes effect Aug. 1, 2013.

Rep. Pam Myhra (R-Burnsville) and Sen. Ann Rest (DFL-New Hope) sponsor the law. HF817/SF683*/CH69

E-pull tab and other gambling regulations to change

A new law will change some of the restrictions and requirements for lawful gambling.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Senate President Sandy Pappas (DFL-St. Paul), the law will require only organizations that collect more than \$750,000 annually in gambling receipts to perform audits. The original threshold was \$500,000.

Organizations will also be able to conduct lawful gambling at 12, rather than four, events located outside of its permitted premises. However, electronic pull-tabs and linked electronic bingo games will no longer be exempt from a provision requiring gambling receipts to be deposited into a gambling bank account within a certain timeframe. For paper pull tabs, identification used for tracking purposes will be required for those who win \$100 or more rather than \$50 or more.

The law is effective May 21, 2013.

HF1060/SF1006*/CH79

MNsure rules govern state health exchange marketplace

The rules under which health insurance carriers will operate in the new exchange marketplace called “MNsure” are contained in a law designed to minimize the risk of

adverse selection, to protect consumers and to ensure a level playing field inside and outside the exchange. Consumers may begin shopping for insurance through the online marketplace on Oct. 1, 2013, for coverage to begin Jan. 1, 2014.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Tony Lourey (DFL-Kerrick) sponsor the law.

The new state policies were partially required under the federal Patient Protection and Affordable Care Act. The market rules are effective for health plans offered, sold, issued, or renewed on or after Jan. 1, 2015, unless otherwise specified.

The law establishes the essential health benefits that are mandated coverage in policies. These include maternity and newborn care, pediatric oral and vision care, emergency services, prescription drugs and several other services. Dependent children covered by a health plan policy must be covered until age 26.

In addition to the essential health benefits, the law includes a set of nearly 100 provisions that will make the state health insurance laws conform to the federal Patient Protection and Affordable Care Act. Some of the market rules apply to plans sold inside and outside the exchange. However, the MNsure board cannot mandate the types of health plans that can be offered to individuals or small businesses who buy insurance outside of the exchange.

Health carriers that begin selling plans outside the exchange in 2014 will have until 2016 to become fully accredited. When selling a policy, a health carrier must disclose to the consumer the conditions upon which an insurance premium could change. A carrier would also need to list information about all individual health plans they sell that the buyer would be qualified to purchase. However, that could simply mean referring potential customers to the MNsure web portal.

Beginning Jan. 1, 2014, a health carrier must guarantee that a policy is offered to an eligible individual regardless of the applicant’s health status, such as having a pre-existing condition. The policy rate will need to be at the same rate as others in the same plan, except there may be variances for those with grandfathered plans.

When a health carrier denies coverage to an enrollee for certain services, the health carrier will need to provide written notice in the enrollee’s linguistic language of the enrollee’s right to an appeal. Additionally,

the health carrier must continue coverage pending the outcome of an appeal and turn over information that was used in determining the denial of benefits.

Policies offered will fall into four actuarial levels of plans: bronze, silver, gold and platinum. If a health carrier plans to offer the lowest level health plan, the carrier also needs to offer a silver and gold level plan in the same service area, unless they have less than 5 percent of the market share in that area.

If a carrier requires a policyholder to use health providers within a defined network, the providers must be geographically accessible within 60 miles or 60 minutes of the enrollee. The distance and travel time narrows to 30 miles or 30 minutes for enrollees seeking primary care, mental health services or general hospital services.

Premium rates for insurance policies could vary from person to person based on whether the insured uses tobacco or where the insured lives. Rates could not be adjusted more than once a year, unless there were changes to the insured’s age, tobacco use, geographic rating area, family status, or if the insured transferred to a new health plan.

Copayments and out-of-pocket maximum charges disappear when required care is accessed, which is also part of the federal reforms. This includes some preventative health care services, unless those services are provided out-of-network.

Enrollment periods for policies sold outside the exchange must be the same as those sold inside the exchange. Basic information about health carriers must be disclosed for transparency purposes, such as how many individuals have enrolled or un-enrolled from a policy.

As carriers prepare to offer the new insurance policies through the exchange, the law also governs how they market them to consumers in order to prevent deceptive marketing practices.

HF779*/SF662/CH84

insurance loophole gets a fill

Subcontractors are sometimes required to take out insurance that, in essence, provides coverage to their general contractor for the negligence caused by another. A new law will negate these types of contracts.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Vicki Jensen (DFL-Owatonna) sponsor the law, which takes effect Aug. 1, 2013. It will make void

and unenforceable contract provisions that require a party to provide insurance coverage to one or more other parties for the negligence.

HF644/SF561*/CH88

Regulation change applied for providing debt services to debtors

Current regulations require debt service managers to abide by a set of standards regarding contract requirements and when fees are collected. A new law clarifies debt settlement regulations to ensure that certain lawyers are exempt from both types of debt services identified above.

Sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Kevin Dahle (DFL-Northfield), the law exempts attorneys whose principal practice does not involve providing debt management services.

The law also includes a provision that will require a debt settlement service provider to perform all services in the agreement before collecting fees. If multiple debts are included, a provider will collect a portion of those fees for each settled debt. The fees are also limited to a percentage of the actual debt under an agreement, with two different percentages used depending on whether there was a successfully negotiated final debt to be paid. These fee provisions do not pertain to debt management services, as those services simply provide an agreement for structured debt payments over an extended time period, as opposed to negotiation or settlement services.

The law takes effect Aug. 1, 2013.

HF694*/SF586/CH91

New law better aligns securities and franchise registration rules

Effective Aug. 1, 2013, a new law adds requirements for private fund investors to certain 3(c)(1) funds and makes changes to the denial, suspension, and revocation of securities registration section of the statutes.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Roger Reinert (DFL-Duluth), the law also adds six definitions to statutes, including "private fund" and "venture capital fund."

HF1243*/SF1376/CH106

Bond security requirements changes

A new law will modify the requirements for bond security.

Effective Aug. 1, 2013, the new law changes, from two to one, the number of sureties that must sign a bond or recognizance, and removes the requirement that they be residents and freeholders of the state.

The law is sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Melissa Wiklund (DFL-Bloomington).

HF1118*/SF832/CH119

Preventing fraud in the collectable coin industry

In recent years, illegitimate collectable coin dealers have bilked money from senior citizens by keeping coins they are supposed to appraise and not delivering promised coins. The state attorney general's office has received more than 100 complaints, and four consumer protection cases have been filed since 2011.

Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Katie Sieben (DFL-Newport) sponsor a new law that will implement regulatory measures in the collectable coin industry in order to prevent fraudulent activity. The law is effective Aug. 1, 2013, but has various enforcement dates. From Aug. 1, 2013, through June 30, 2014, dealers doing \$5,000 in transactions or more per year must adhere to a code of conduct regarding sales practices, and all newly registered dealers must adhere to the conduct policies thereafter.

Beginning July 1, 2014, dealers who have sold \$5,000 or more in coins per year must register with the Department of Commerce in order to work in Minnesota. Any previous registered dealers of that caliber will need to renew their registration at that time using a revised registration form which requires a series of disclosures.

The law gives the Department of Commerce authority to suspend, revoke or refuse to issue or renew a dealer registration if the dealer provides false, misleading or incomplete information. Registration can also be denied if another state has denied or revoked privileges or if a dealer who was court-ordered to cease operating, violated labor or tax laws.

When a dealer's registration privileges are revoked, the dealer must wait at least two years before applying for a new registration. The department must deny registration applications if a dealer has been convicted

of any financial crime or other crime involving fraud or theft within the last 10 years. Dealers who operate without a valid registration may be guilty of a misdemeanor. If an investigation results in a civil action, the penalty could result in fines of \$10,000 for each violation.

Each bullion coin dealer will need to screen owners, officers and each of its coin dealer representatives prior to submitting the application for initial registration and at each renewal. The screening results will be part of the initial registration and all renewal registrations at the department's request.

Screenings must be done within 60 days of submitting a registration application and must include national criminal history record search, a judgment search, and a county criminal history search for all counties where the owner, officer, or coin dealer has resided within the preceding 10 years.

Dealers will be required to post a surety bond of \$25,000 to \$200,000 based on the amount of transactions in the previous year.

HF157*/SF382/CH120

More consumer choices for insurance communications

More consumer choices for insurance communications

If a dispute over the terms of the contract arises, the English language version takes precedence in resolving the dispute.

Rep. Laurie Halverson (DFL-Eagan) and Sen. Vicki Jensen (DFL-Owatonna) sponsor a law that authorizes property and casualty insurance policies, advertisements and other materials to be distributed in languages other than English. For versions that must be filed with the state, a substantively identical English translation must be attached. If a dispute over the terms of the contract arises, the English language version takes precedence in resolving the dispute. The law also clarifies how a consumer may receive information electronically rather than on paper.

Parties may also withdraw consent for receiving forms electronically. The law has no effect on the enforceability or validity of a required notice of document delivery.

For standard property and casualty insurance policies and endorsements, information may be posted on the insurer's website provided it does not contain personally identifiable information. If the insurer elects to post policies and

endorsements on its website in lieu of mailing or delivering them to the consumer, the insurer must make the policy accessible for as long as the policy is in force and archive it for at least five years after it expires. The electronic copy must be printable or provided as a paper copy at the insured's request.

HF1587*/SF1088/CH130

Civil Law

Chances increase that tax statement will go to rightful owner

When a property owner dies, there is sometimes a problem with making sure that property tax statements are sent to the rightful survivor.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Melisa Franzen (DFL-Edina), a new law will allow an affidavit of survivorship to be used as a means to know where the deceased's property tax statement should be sent, to make sure the property taxes are paid and kept current.

The law, effective March 22, 2013, also replaces outdated acronyms as they relate to condominiums.

HF87*/SF249/CH10

Time period for construction claims is 14 years

The time period in which a person can bring a claim related to property improvements will change.

A new law modifies the existing two-year period in which a claim may be made for contribution or indemnity related to an improvement to real property. Currently those claims may be filed no later than two years after the cause of action. The new law adds an additional limitation: in no case may a claim for contribution or indemnity be filed more than 14 years after substantial completion of the construction. The law specifies that the claims covered under this limitation include those related to statutory new home and home improvement warranties.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the law that takes effect Aug. 1, 2013.

Atkins said that changes made in 2007 to the statute of limitations "ended up being worse than the problem." The law left the

door wide open for claims related to property improvements for claims against architects and engineers, he said.

HF450*/SF392/CH21

Power of attorney form changes

A power of attorney document is used by many people as a planning tool for dealing with financial issues in case of future incapacities. However, according to those advocating for protection of vulnerable adults, there is a need to provide clarity on the form as to the exact role of a power of attorney.

A new law will make changes to the short-form power of attorney and clarify gifting by the designated attorney-in-fact. Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ron Latz (DFL-St. Louis Park), the law has various effective dates.

An additional provision states that the attorney-in-fact may not make gifts unless they are authorized to do so. The law also changes the cap on the amount an attorney-in-fact can gift in a calendar year from \$10,000 to the federal annual gift exclusion amount, which is \$14,000 for 2013.

HF232*/SF327/CH23

New law helps clarify who owns what upon a partner's death

Sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Melisa Franzen (DFL-Edina) a new law will have Minnesota adopt the Uniform Community Property Rights at Death Act, which will clarify, upon death, disposition of the property acquired by a married person.

States vary on how they treat property acquired by married couples. For instance, Minnesota is a common law state, which means the property belongs to the person whose name appears on the ownership document. Wisconsin, on the other hand, is a community property state where property and possessions brought into the marriage remain with that partner; but whatever is earned or acquired during the marriage is co-owned by both parties, regardless of who earned it or whose name is on the title.

If a couple has lived and acquired property in different states, this can create problems for the courts when they attempt to determine rightful ownership upon one partner's death. The new law will add clarification.

The law takes effect Aug. 1, 2013.

HF369*/SF350/CH24

Once an agreement, no shared info allowed in court

In an effort to help encourage parties to settle disputes without going to court, there is an evidence rule that any information they share with each other is not admissible in court.

Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor a new law that will expand the rule to include any agreement resulting from the collaborative law process, which is a dispute resolution method put together by the Uniform Laws Commission. The law takes effect Aug. 1, 2013.

HF283*/SF1108/CH28

New law addresses common banking problem for seniors

It is not uncommon for an aging parent to ask a relative for help with their finances, including giving them the ability to sign checks. However, there is currently no mechanism in state law that would allow the person only to act as an agent and not become a co-owner of the account. That will change.

Effective Aug. 1, 2013, a new law, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Scott Newman (R-Hutchinson), will allow a banking customer to name an agent on an account, and that person could sign the customer's name, but not have ownership in the account.

The law will also clarify the deadline for mailing in an appeal to the Minnesota Tax Court.

Currently, in order to have an appeal heard, the paperwork must meet the designated "received by" date. The new law will change that to a "postmarked deadline." Only postmarks made by the U.S. Postal Service or its designated delivery service will be accepted. A mark made by a private postage meter would not qualify for consideration.

This action will make the Minnesota Tax Court consistent with tax court proceedings at the federal level, supporters say.

HF19*/SF84/CH36

Victim rights continue even after death, in some cases

A new law provides that if a victim dies before or after a request for restitution is made their estate may request or enforce an order on the victim's behalf.

The Anoka County Attorney's Office faced a situation recently where an elderly man

with Alzheimer's disease was conned out a significant sum of money. The perpetrators were charged and tried, but the victim died before sentencing. The court sought guidance on distribution of restitution because, under statute, a victim is defined as a family member, guardian or custodian of a deceased person but does not specifically reference the estate.

"This is a clarification that even after the victim dies, perpetrators can't benefit after restitution has been ordered," said Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Barb Goodwin (DFL-Columbia Heights).

The law is effective May 7, 2013.
HF410/SF345*/CH39

Clarification sought regarding administrative appeal cases

A new law will fix a problematic statute that requires the Office of Administrative Hearings to participate in certain appeal cases in which their judges have made a ruling. Judges in the administration law division provide hearings and mediation services to state agencies and local units of government.

It is potentially awkward for a judge to argue to uphold his or her ruling, said Rep. Mike Freiberg (DFL-Golden Valley), who sponsors the law with Sen. Melissa Wiklund (DFL-Bloomington).

Effective Aug. 1, 2013, the law will clarify that only parties to the contested case will be served the court documents.

In current law, state agencies make the final decision on certain appeal cases. As a result, the Office of Administrative Hearings is joined as a party respondent in the litigation if there is an appeal.

HF1120*/SF516/CH56

Tribal rights affirmed concerning American Indian children

Tribal rights affirmed concerning American Indian children

A new law allows for proceedings regarding adoption of American Indian children, in situations where parental rights have been terminated, to be transferred to the appropriate tribal court.

Sponsored by Rep. Susan Allen (DFL-Mpls) and Sen. Jeff Hayden (DFL-Mpls), the new law affirms the Minnesota Indian Family Preservation Act, which works to maintain children's tribal relationships.

The law is effective Aug. 1, 2013.
HF252/SF250*/CH65

Marriage no longer limited to a male and female

The state's marriage laws will change from being male/female specific to authorize marriage and divorce of two persons, regardless of gender. It will provide exemptions for churches and other religious associations from providing goods or services related to same-sex marriage ceremonies, if doing so would be in violation of the entity's religious beliefs.

Sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the new law is effective Aug. 1, 2013. As a bill, its introduction into the legislative process came six months after voters turned down a ballot measure to place in the state constitution a definition of marriage as being between one man and one woman.

The law's debate was contentious, with frequent rallies at the State Capitol from those on both sides of the issue. But an amendment on the House Floor to insert "civil" before the word "marriage," in all state statute references, tempered the debate, bringing in enough bipartisan support for the measure to pass both bodies. The language change, it was thought, would clarify the distinction between state-sanctioned civil marriages and marriages within religious faith traditions.

HF1054*/SF925/CH74

Data privacy protections cover access to government e-contacts

Cities and school districts offer notification options for residents and the ability to receive their newsletters and other periodic publications online. The omnibus data practices law will make it clear that the name, email address and other contact information from the requestor is considered private.

There has been concern that prior law language was too broad and that government entities or private citizens could use these emails to promote issues, such as school levies. The law helps ensure that those signing up for online services will not be subjected to unwanted emails and notifications. (Sec. 1)

Other personal data issues addressed in the bill:

- Language requiring disclosure of certain data related to disciplinary actions or settlements with some types of public employees, originally enacted in 2012, is further expanded. (Sec. 4)
- Personnel data may be released for purposes of providing information to a parent

regarding alleged maltreatment of the student in a school facility. (Sec. 5)

- Data maintained by the Department of Administration to identify a person with a disability or a family member related to services funded by the federal assistive technology act will be considered private data. (Sec. 7)
- Information about those participating in a Minnesota road use test will be destroyed. This does not apply to summary data on types of vehicles used and road usage, provided that the data do not identify participants or contain other characteristics that could identify participants. (Sec. 40)

The law also clarifies background check procedures related to fire department personnel and licenses related to retail liquor and explosives. (Secs. 30-35)

Data privacy issues related to medical screenings and storage of biological specimens is an emerging concern for members of the House Data Practices Subcommittee. The Senate proposal regarding newborn screening test retention and parent notification, while not making it into the final bill, could be an indicator of legislation coming next year, to change a recent court ruling.

The Minnesota Supreme Court took away the state's ability to store, use and disseminate newborn blood samples for other research without parental consent. Specifically, it mandated that test results collected on or after Nov. 16, 2011, are to be destroyed after two years from the time of collection. The Senate language to negate the court ruling was not acceptable to the House. However, the new law calls for a study that will review the newborn screening programs and evaluate the scientific and medical validity of a comprehensive and sustainable long-term storage and use plan for the test results. (Sec. 39)

With various effective dates, the law is sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Kari Dziedzic (DFL-Mpls).

HF695/SF745*/CH82

More time for sexual abuse victims to come forward

The "Child Victim Act" modifies the existing statute of limitations for civil causes of action for sexual abuse. It changes the statute of limitations standard and allows a case of alleged sexual abuse of a person under age 18 to begin anytime.

Under prior law, victims must have reported incidents of sexual abuse by the age 24.

Sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Ron Latz (DFL-St. Louis Park), the look-back will be limited only to those incidents that happened three years prior to the law's enactment date of May 25, 2013. The law will also strengthen a victim's ability to act against an institution that has been found to aid and abet the incident.

HF681*/SF534/CH89

Jury list update needed to reflect Human Rights Act

State law clearly lays out that people can't be excluded from jury service based on race, color, religion, sex, national origin, economic status or a physical or sensory disability. Effective Aug. 1, 2013, a new law will add two categories to the list: marital status and sexual orientation.

Sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Ron Latz (DFL-St. Louis Park), the change will conform the jury exclusion list to the Minnesota Human Rights Act.

HF335*/SF41/CH90

Help to secure family possessions after a crime

Sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Bill Ingebrigtsen (R-Alexandria), a new law will amend the state's so-called "slayer statute," which is in place to prevent a killer from benefiting, through inheritance, from the victim's death.

As a law enforcement officer, Cornish was the third person on the scene of a friend's murder in August 2010. Later, the victim's wife confessed to her husband's death.

The victim's family tried to recover mementos and personal property, both theirs and his, from the house. At the time, the law would not allow this until there is a guilty verdict or other court finding, the property is sealed.

The law will allow a personal representative to file with the court an inventory of the decedent's personal property that may be affected by the so-called "slayer statute." This list may serve as documentation for later claims. Additionally, the court will be authorized to order certain relief regarding the inventoried property, such as reserving determinate of its distribution, holding it in trust or prohibiting its disposition pending

a final determination under the statute. It would also provide a notice of the rights to crime victims.

The "slayer statute" changes take effect Aug. 1, 2013.

HF161*/SF196/CH94

Several changes to law regarding debt servicing

A debt buyer who purchases consumer debt will be required to provide certain evidence when seeking a default judgment from a conciliation or district court.

In addition to an application for judgment, a new law requires seven items be provided to a court:

- terms of the original contract, such as a copy of the written contract between the debtor and original creditor;
- evidence that the defendant owes the debt;
- the last four numbers of the debtors Social Security number, if known;
- evidence that the amount claimed owed is accurate, including an itemized breakdown of the balance, fees and interest;
- a valid and complete chain of debt assignment;
- proof that the party seeking the judgment used reasonable efforts to provide the court with the correct address for the debtor; and
- notice to the debtor of the motion and hearing.

This section is effective Sept. 1, 2013.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Ron Latz (DFL-St. Louis Park), said the goal is to make sure the person seeking the default judgment actually owns the debt that they have the right person and they have the accurate amount of debt that is owed.

Effective Aug. 1, 2013, commencement of a consumer debt suit must be made within six years, and after that time, the statute of limitations is not revived by the collection of an account payment, a discharge in a bankruptcy proceeding or a reaffirmation of the debt.

Also effective that date, bail is set at \$50 for a consumer debt defendant that is held in contempt for failure to comply with judgment debtor disclosure requirements. The amount can be raised for subsequent contempt actions.

HF80*/SF33/CH104

New law will limit access to some juvenile court records

A law passed in 2013 will restrict direct public access to some electronic juvenile court records.

Many juvenile court records and proceedings are already closed to the public. The new law affects records stemming from hearings in which the youth is 16 or 17 years old and has been charged with a felony. Those records are currently public even if an initial felony charge is later reduced or dismissed.

The new law takes effect on Jan. 1, 2014. It limits access only to electronic court records, and will not affect public access to hearings or paper records. The law also makes exceptions that maintain public access to electronic records in certain cases involving serious offenses, unless the prosecutor agrees otherwise.

Rep. Carly Melin (DFL-Hibbing) and Sen. Ron Latz (DFL-St. Louis Park) sponsored the legislation.

HF392*/SF286/CH109

Waiver of liability form language tightened

It's not uncommon that before being allowed to participate in a recreational activity, a waiver of liability form must be signed.

Under a new law, there is a greater chance these agreements would be deemed unenforceable in a court of law.

Rep. Mary Liz Holberg (R-Lakeville), who sponsors the law with Sen. Katie Sieben (DFL-Newport), thinks that most people have no idea of the rights they are signing away, which include waiving of liability for damages, injuries or even death from their participation.

According to the new law, an agreement between parties for a consumer service, including a recreational activity, that purports to release, limit, or waive the liability of one party for damage, injuries, or death resulting from conduct that constitutes greater than ordinary negligence is against public policy and void and unenforceable.

The law takes effect Aug. 1, 2013.

HF792*/SF768/CH118

Consumers

State could see more funds recovered from fraud claims

Sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Ron Latz (DFL-St. Louis Park), a new law will make changes to the current state False Claims Act to conform to federal standards and ensure the state is eligible for a 60/40 split of the recovered funds.

The new law is effective Aug. 1, 2013.

“To sweeten the pot, (the federal government) will add a 10 percent bonus to all states that pass a False Claims Act that comply with certain guardrails or guidelines,” Simon said.

Some of the technical changes that will be made to the act include removing a limitation that an action must involve state “money, property or services” and add the limitation that an action cannot be maintained if it is based on information already known to the state or political subdivision at the time the action is brought.

HF290*/SF281/CH16

Loopholes used by scammers, some lenders to be closed

As some residents struggle to stay in their homes during the economic downturn, issues have emerged with companies that charge homeowners fees to stay out of foreclosure.

Sponsored by Rep. Tim Sanders (R-Blaine) and Sen. Kevin Dahle (DFL-Northfield), a new law is intended to close a loophole by requiring the same regulations for foreclosure consultants that apply to mortgage originators.

The law is effective April 23, 2013.

HF129*/SF294/CH17

Title loan regulations loophole closes

A new law will close a loophole that allowed certain lenders to avoid title loan regulations.

Under current law, lenders can obtain industrial loan and thrift licenses and make the same loans that aren't regulated by the pawnbroker statute.

“(The law) simply says if you're going to engage in this kind of transaction we got one set of rules regardless of who you are,” said Rep. Jim Davnie (DFL-Mpls), who sponsors the law with Sen. Bobby Joe Champion (DFL-Mpls).

The new law is effective Aug. 1, 2013.
HF648*/SF818/CH40

Craft beer niche addressed in liquor law

A new law will allow St. Paul and Minneapolis restaurant owners to have more than 40 percent of their revenue generated from alcohol sales, which is currently illegal. Effective Aug. 1, 2013, the law includes other provisions that will allow micro-distilleries to provide samples of distilled spirits, and licensed wine or beer educators to purchase and serve wine or beer for educational purposes.

Other provisions will allow certain small brewers with a production greater than 3,500 barrels to sell off-sale growlers; municipal liquor stores to issue brewer taproom licenses; Shakopee to issue liquor licenses for a fair; and St. Paul to issue a liquor license for the proposed new ballpark.

The omnibus liquor law is sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. James Metzen (DFL-South St. Paul).

HF746*/SF541*/CH42

New law will allow installment plans for funeral expenses

Minnesotans will be able to prefund their funeral expenses and pay it out over a period of time.

Effective Aug. 1, 2013, a new law sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Dan Sparks (DFL-Austin), will exempt preneed insurance from the graded death benefit law, which requires the policy premium to be paid in a single upfront payment.

The specialty life insurance product is sold through a life-insurance contract.

HF654*/SF748*/CH53

Annuity changes become law without governor's signature

A new law, effective June 1, 2013, will make changes in the regulation of annuities, an insurance product typically used as a source of retirement income by senior citizens.

The law, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Roger Reinert (DFL-Duluth), follows model regulation by the National Association of Insurance Commissioners, which requires

that insurers have reasonable grounds to believe an annuity product is suitable to the individual customer and defines those suitability standards.

The law will also require those who sell annuities to complete a one-time training course, and prohibits licensed insurance producers (agents) from soliciting sales of annuities unless they have adequate knowledge of the product. The law does not apply to annuity transactions involving direct response marketing of group insurance and various types of contracts used to fund group plans.

While Gov. Mark Dayton did not give the bill his signature; after three days it becomes law. In a message, Dayton cited Attorney General Lori Swanson's opposition to the bill. She is charged with making recommendations for statutes that adequately protect the consumer. Dayton also acknowledged the bill's overwhelming bipartisan support: the House passed the bill 126-7 and the Senate 55-8.

“While I agree with the Attorney General that it would be preferable to require direct insurance company review of each policy, members of both bodies, whom I respect highly, are convinced that

Minnesotans, especially our senior citizens, will be well-protected by the additional review procedures contained in this bill,” he wrote.

HF791*/SF574/CH54

Estate sales operators to face regulations

Estate sale operators will be required to guarantee their clients at least \$20,000 prior to agreeing to conduct an estate sale.

The new law, sponsored by Rep. Linda Slocum (DFL-Richfield) and Sen. Barb Goodwin (DFL-Columbia Heights), is the first to regulate estate sales by requiring operators to offer a surety bond. Certified public accountants and licensed attorneys, however, are exempt. The law takes effect Jan. 1, 2014.

HF131*/SF316/CH60

No regulating that it's pre-pay at the pump only

In an effort to stop the increasing number of gas drive-offs at local pumps, and the public safety costs the action brings with it, the Coon Rapids City Council passed an ordinance that required patrons to only

pre-pay for their gas — at the pump or inside the store.

However, several gas stations made their case to the Legislature arguing that the practice was costing them money because it limited customer traffic into the stores where other purchases could be made. Rep. Dan Schoen (DFL-St. Paul Park) and Sen. James Metzen (DFL-South St. Paul) sponsor the law that will not allow a local government to restrict a payment method.

Effective May 17, 2013, the law states that no local unit of government can restrict the sale of motor fuel based upon the method of purchase agreed to by the seller and purchaser.

HF1284*/SF1131/CH67

Regulating scrap metal vehicle purchases

In a matter of hours, a thief can now steal someone's car, truck or van, sell it to a scrap yard for cash and the vehicle can become a squished pile of metal.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Chuck Wiger (DFL-Maplewood) sponsor a new law that aims to make that scenario end by expanding licensing and regulatory provisions relating to scrap metal and vehicle purchases.

The law, partially effective Aug. 1, 2013, and partially delayed until other dates, was worked on by law enforcement, representatives of scrap metal dealers, auto scrappers, and people who dismantle vehicles for parts.

"What had been happening is that cars, particularly older cars, were getting hooked up to tow trucks and towed directly to scrappers," Mahoney said. "Because of the way the laws are structured they were getting crunched right away. ... Farmers were having their irrigation systems stolen out of their fields. So, this (law) is an attempt to put some regulations onto it."

Under the law, "no person shall purchase a scrap vehicle unless the seller: provides the vehicle title and lien releases, if the vehicle is subject to any liens, or an official bill of sale issued by a public impound lot, each listing the vehicle identification number." A seller must provide proof of identification and sign an affidavit that the vehicle is not stolen and the person has the right to sell the vehicle.

If there is no clear title, but the vehicle is more than 10 years old, the owner can go to the Driver and Vehicle Services Division of the Department of Public Safety website for

verification and print off a document that can then be presented to an auto scrapper or recycler showing that the vehicle has not been registered for seven years.

Alternatively, if proof of ownership is not provided, businesses that buy vehicles for dismantling and reselling parts can purchase the vehicle but must hold it for seven days before scrapping, reselling or dismantling. A seller must agree to the hold period, sign a statement that they have the right to dispose of the vehicle and provide proof of identification.

For a vehicle more than 20 years old and inoperable, proof of ownership is not needed to scrap the vehicle.

All scrap vehicle purchases without a title must be paid for by check or electronic transfer to a bank account, and the dealer must retain a record of the seller's mailing address or unique transaction identifier for three years.

Effective Jan. 1, 2014, "each scrap vehicle operator shall install and maintain at each location video surveillance cameras, still digital cameras, or similar devices positioned to record or photograph a frontal view showing a clear and readily identifiable image of the face of each seller of a scrap vehicle who enters the location. The scrap vehicle operator shall also photograph the seller's vehicle, including license plate, either by video camera or still digital camera, so that an accurate and complete description of it may be obtained from the recordings made by the cameras. Photographs and recordings must be clearly and accurately associated with their respective records." Any video must be shown to law enforcement, upon request.

The law will also require the dealers to report transactions daily using the Automated Property System, which is an expansion of the automated system used by pawn shops to record product information. The Minneapolis Police Department will develop software for implementation and use of the automated property system and provide copies to anyone required to use the system. This section is effective Jan. 1, 2015.

Mahoney said discussions will continue in the interim among interested parties to consult on developing the APS and setting a fee schedule to pay for the system. "We don't want them to charge a dime more than what this system is going to cost." A report will be due the Legislature next year, and upon legislative approval, will take effect in January 2015.

HF1214*/SF934/CH126

Economic Development

Payment options OK'd for demolition loans

Development authorities will have another way to repay redevelopment demolition loans.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Fong Hawj (DFL-St. Paul), a new law will change loan agreements so that repayment does not have to be through a loan backed by the general obligation of the development authority.

The law will allow a development authority to use a security subject to approval by the Department of Employment and Economic Development to repay the loan. Examples could include tax-increment financing or land sales.

The law takes effect Aug. 1, 2013.

HF368/SF340*/CH64

Education

2013 K-12 law features landmark spending on kindergarten

The omnibus K-12 education bill that legislators passed and Gov. Mark Dayton signed in 2013 includes big policy changes as well as new money for schools across Minnesota.

The state will spend an estimated \$15.7 billion on education over the next two years, an increase of \$485 million. About half of the new money will go on the basic school funding formula, with increases of 1.5 percent each year. In a first for Minnesota, another \$134 million will fund optional all-day kindergarten statewide starting in the fall of 2014.

Special education will get an additional \$40 million. So will a program that will award thousands of early learning scholarships to 3- and 4-year-olds from low-income families.

Rep. Paul Marquart (DFL-Dilworth) and Sen. Chuck Wiger (DFL-Maplewood) sponsored the omnibus legislation. With some exceptions that are noted in statute, the law takes effect on July 1, 2013.

HF630*/SF453/CH116

World's Best Workforce

The new law explicitly calls for school districts to help their students become the world's best workforce. It requires schools to

reach for lofty goals: All third-grade students should be able to read, all students should attain career and college readiness before graduation and graduate from high school, and schools must do their utmost to close the achievement gaps between white and minority, poor and rich students.

Lawmakers revised a statute governing the process that districts follow to review their lessons and student achievement and evaluate instruction. The new language requires school boards to adopt long-term strategic plans and to improve teaching and learning. The plans must align with the goal of creating the world's best workforce, have clearly defined benchmarks and be reviewed every year at a public meeting.

Under the new law, the education commissioner must identify districts that don't make enough progress toward the goals in any three-year period. In this circumstance, for the next three years, the commissioner may tell those districts how to spend up to 2 percent of their basic general education revenue to accelerate their progress. (Art. 2, Sec. 6)

Regional Centers of Excellence

The law funds Regional Centers of Excellence that will help schools implement best practices to achieve goals such as closing the achievement gap and increasing graduation rates. (Art. 2, Sec. 7)

Statewide Testing

Schools will say goodbye to high-stakes state graduation exams. Instead of the GRAD tests, students will take – but not have to achieve a minimum score on – a new set of tests in reading, writing and math. Students in grade 11 will take a nationally recognized college entrance exam such as the ACT.

School districts will use the tests to mentor students' progress: They'll intervene with students who need extra help, and encourage upperclassmen who are academically ready to start earning college credit before they finish high school. Districts will also be required to help students explore and plan for careers or college based on their interests and educational strengths.

The law will also change the reading and math tests taken by younger students. By the 2015-16 school year, students in grades 3 through 7 will take computer-adaptive tests. The revamped testing system will be designed to give students quick, more

detailed feedback about how they did on the tests, with benchmarks that project whether they're on track to graduate, pursue a career or get into college. (Art. 2, Secs. 12-13)

Standard Adult Diploma

The education commissioner will adopt a standard adult high school diploma to adults who are not eligible for K-12 instruction, don't have a high school diploma, and complete a state-approved adult basic education program leading to an adult diploma. The commissioner will appoint an advisory task force to make recommendations about the diploma by Feb. 1, 2014. (Art. 2, Secs. 17, 19)

Career Pathways Task Force

A new career pathways and technical education advisory task force will give a report to the Legislature by Feb. 15, 2014. (Art. 2, Sec. 18)

Compulsory Attendance

The age of compulsory school attendance will increase from 16 to 17. (Art. 3, Sec. 1)

EpiPens

The new law excludes epinephrine auto-injectors from the general requirements for administering medicines in schools, and makes other changes giving schools more leeway to use EpiPens when students have life-threatening allergic reactions. (Art. 3, Secs. 6-8)

Teacher Licensure

Effective immediately, the Board of Teaching may issue two additional temporary, one-year teaching licenses to otherwise qualified candidates who have not passed the test for licensure.

The law also establishes a teacher licensure advisory task force to recommend to the Legislature, education commissioner, and Board of Teaching how teacher applicants should demonstrate mastery skills. The task force must report back by Feb. 1, 2014. By Jan. 1, 2015, the Board of Teaching must adopt revised rules for the skills portion of the teacher licensure exam. (Art. 3, Secs. 10-12, 33)

Teacher Evaluation

The law changes a requirement that 35 percent of a teacher's evaluation be based on value-added data for particular grades and subjects, to the extent the data is available.

Instead, the new law allows the 35 percent to be determined using state and local measures of student growth that may include value-added models or student learning goals. (Art. 3, Secs. 15-16)

School Integration

An integration revenue program scheduled to sunset will continue in a revamped form. Schools will be able to use the money for activities, including magnet schools and college readiness programs.

The goals of the redesigned program include higher achievement for all students as well as racial and economic integration. Lawmakers also approved a new formula for determining how much integration aid a school district gets. (Art. 3, Secs. 29-30, 32)

Charter Schools

Lawmakers approved a variety of changes to charter school law. Some are technical, but some deal with issues such as conflicts of interest and termination of school contracts. (Art. 4, Secs. 1-10)

Restrictive Procedures

The law revises a statute that governs when and how school employees can physically restrain or seclude children to keep them from hurting themselves or others. Among other things, the new law specifies that schools may not use seclusion or physical holding as a form of discipline. Schools may continue to use prone restraints – placing a child in a face-down position – until Aug. 1, 2015, a two-year extension of the current deadline.

By March 1, 2014, the education commissioner must receive recommendations on how to reduce the use of restrictive procedures. The commissioner must give legislators a report on districts' progress in reducing the use of restrictive procedures and eliminating the use of prone restraints. (Art. 5, Secs. 3-4)

Special Education Case Loads Task Force

The education commissioner will assemble a task force to come up with recommendations on appropriate case loads for special education teachers. The group will report to the Legislature by Feb. 15, 2014. (Art. 5, Sec. 28)

Accelerated Repayment of School Aid

The state will use any surplus in its General Fund at the end of fiscal year 2013 to speed repayment of money that legislators previously borrowed from schools. The state has already used surpluses to pay much of that tab, but the new law explicitly makes repaying schools the top priority for the money and requires the commissioner of Minnesota Management & Budget to estimate the amount of the surplus by Sept. 30, 2013. (Art. 7, Sec. 20)

Youth Council Committee

Teen members of a youth council committee will advise the governor and Legislature on issues affecting youth. The committee will consist of four members from each congressional district in Minnesota and four at-large members. They'll be chosen through an application and interview process run by the Minnesota Alliance with Youth. The group may propose legislation, advise lawmakers on bills, and prepare a youth omnibus bill. (Art. 8, Sec. 1)

Early Learning Scholarships

A new early learning program will award scholarships to 3- and 4-year-olds from low-income families.

Families can use the scholarships to enroll their children in preschool and child-care programs that participate in the Parent Aware quality rating and improvement system. Starting in July 2016, programs must have a three- or four-star rating to participate. The scholarships are capped at \$5,000 a year per child. (Art. 8, Secs. 2, 4)

HF630*/SF453/CH116

Elections

Technical changes to the secretary of state's rules

Technical changes to the rules by which the secretary of state's office operates will become effective Aug. 1, 2013.

A new law removes the tax identification number from data maintained by the secretary of state that is considered private or non-public. It also removes the tax identification number, but not the social security number, from private or non-public data in the secretary of state's electronic records.

Sponsored by Rep. Ryan Winkler (DFL-

Golden Valley) and Sen. Barb Goodwin (DFL-Columbia Heights), the law also:

- clarifies when an email address submitted to the secretary of state will be made public;
- clarifies and changes when the secretary of state provides notice in an administrative dissolution; and
- clarifies the application of the law to limited partnerships duration formed before Jan. 1, 2005.

HF1112*/SF1030/CH110

No excuse necessary to vote absentee

Voters will no longer need a good excuse to vote by absentee ballot because of a provision in the omnibus elections law, effective May 24, 2013.

In addition, those participating in the safe-at-home address confidentiality program will automatically be sent an absentee ballot, rather than an application, prior to each election if the voter registers as a permanent absentee voter with the secretary of state.

The law backs up when absentee ballots can be counted from four to seven days prior to an election.

Effective Jan. 1, 2014, the absentee voter changes apply to voting at elections conducted for the 2014 state primary and thereafter. (Art. 1)

Several technical changes and elimination of obsolete language are made to election laws.

For example, the number of individuals someone can vouch for as a valid resident on Election Day drops from 15 to eight. However, an existing exemption for some residential facilities remains in effect. The minimum number of election judges required in a precinct is reduced from four to three, except during the state general election. There is no longer an allowance for election judges to select two individuals of different major political parties to assist a voter in marking their ballot. Rather, the voter may select a person of their choosing to help.

Current law requires an automatic, publicly funded recount for certain types of offices when the vote difference is less than 0.50 percent. That number is reduced under the new law to a vote difference of 0.25 percent in order to be publicly funded. The apparent losing candidate must file a written request with the state canvassing board within 48 hours of the canvass of the election result.

A provision that required sample ballots in certain municipal elections to be published in the newspaper is repealed.

The secretary of state's office will receive \$60,000 from the General Fund in fiscal year 2014 to develop a system of processing and tracking mail ballots within the statewide voter registration system.

The law no longer requires at least one public voting location for each 30,000 residents of the county or at least one telecommunications device for the deaf for voter registration information in each county seat. (Art. 2)

Some of the recommendations of the Task Force on Election Integrity are contained in the new law and are related to the loss of or restoration of voter's rights after a felony conviction. The law allows the Department of Corrections to share data with the secretary of state's office regarding the status of an individual's right to vote. The secretary of state is appropriated \$95,000 in the 2014-2015 biennium to oversee implementation of the task force recommendations and \$48,000 is added to the base budget. (Art. 3)

State primary voters in 2014 will be part of a trial run of electronic rosters for preregistered and same-day voter registration in Dilworth, Minnetonka, Moorhead, St. Anthony and St. Paul. The pilot project will be evaluated and a report is due to the Legislature by Jan. 31, 2014. A General Fund appropriation of \$67,000 is available to the secretary of state for the pilot project and \$21,000 is awarded the Legislative Coordinating Commission in fiscal year 2014. (Art. 4)

Provisions regarding filling a vacant seat are modified under the new law. (Art. 5)

Rep. Steve Simon (DFL-Hopkins) and Sen. Katie Sieben (DFL-Newport) sponsor the new law.

HF894*/SF677/CH131

New campaign finance limits established

Candidates for state office will be allowed to spend more money and receive larger contributions after limits in campaign spending were raised and donation restrictions loosened by a new law.

Spending limits under the new law, effective May 25, 2013, for candidates who have signed a public subsidy statement include:

- Governor/Lieutenant Governor — \$5 million;
- Attorney general — \$800,000;

- Secretary of state, state auditor — \$500,000;
 - State senator — \$120,000; and
 - State representative — \$60,000.
- Contribution limits for candidates include:
- Governor/Lieutenant Governor — \$6,000;
 - Attorney general — \$4,000;
 - Judicial office — \$3,500
 - Secretary of state, state auditor — \$3,000;
 - State senator — \$2,000; and
 - State representative — \$1,500.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Ann Rest (DFL-New Hope), the law expands the Campaign Finance and Public Disclosure Board's jurisdiction, allowing it to recover campaign contributions used for impermissible purposes and provides that a matter under the board's jurisdiction could lead to criminal prosecution.

It also modifies the amount of permissible carryforward in a campaign committee's account from 50 percent of the election year expenditure limit to 25 percent of the election cycle expenditure limit.

The law also classifies judges, county commissioners and certain nonpartisan legislative staff as "public officials," which requires, among other things, that individuals in these positions file statements of economic interest with the Campaign Finance and Public Disclosure Board.

HF863/SF661*/CH138

Employment

Some workers see wages increase

Workers in five of the state's labor unions will receive a 2 percent across-the-board pay increase retroactive to Jan. 2, 2013, through June 30, 2013, under a new law.

The law ratifies negotiated contracts for the American Federation of State, County and Municipal Employees and the Minnesota Association of Professional Employees.

Rep. Leon Lillie (DFL-North St. Paul) and Sen. Chris Eaton (DFL-Brooklyn Center) sponsor the law, which also includes employee contracts for the Middle Management Association; State Residential Schools Education Association; AFSCME, Correctional Officers, Unit 8; and two compensation plans.

The same AFSCME and MAPE contracts were rejected by a Republican-led majority in August 2012 because they didn't require public employees to pay up to 10 percent of

their health insurance premiums. Minnesota Management & Budget was directed to renegotiate, but was unsuccessful in getting the unions to accept partial premium payments by employees.

A new DFL majority approved the contracts, which require \$76 million in new money this year and an estimated \$249 million over for the next biennium. The agencies and departments will have to absorb the pay increases within their existing budgets, according to Lillie. The last salary increases, other than performance-based step increases, were in 2008, he added.

HF95/SF58*/CH2

Ensuring adequate funds in workers compensation account

How the Workers Compensation Reinsurance Association charges premiums to its members and self-insurers will change, under a new law, to ensure that the premiums are adequate to cover all the benefits the association expects to pay seriously injured workers.

Formed by the Legislature in 1979, the association provides reinsurance for worker's compensation to all insurers and self-insurers in the state worker's compensation system. Members purchase reinsurance at one of three retention limits or deductibles.

To keep reinsurance costs down, when the association was created, a prefunded limit was put in statute on what claims they could actually charge for. Therefore, a regular premium could be charged for claims between member's retention limit and the statutorily imposed cap. Benefits paid out above the cap are totaled each year and spread across the members annually.

Supporters said that worked well for 24 years because there weren't claims that exceeded the prefunded limit. But because of rapidly rising medical costs more claims have exceeded the limit. The fund paid out about \$3.6 million this year, but due to increases and volume, the claims are forecast to rise to \$30 million to \$35 million in the next 20 or 30 years. The change should have long-term benefits, including prevention of dramatic, long-term increases in unfunded premiums.

The new law eliminates the prefunded limit.

Rep. Jason Metsa (DFL-Virginia) and Sen. Dan Sparks (DFL-Austin) sponsor the law, which is effective Jan. 1, 2015.

HF504*/SF372/CH15

Employee may recover unpaid wages based on contracted rates

In September 2012, the Minnesota Supreme Court ruled that a long-standing law that gives workers the right to make claims for unpaid wages was unclear, which led to legislation during this session to clarify the law.

The case, *Caldas v. Affordable Granite Stone*, argued that tile workers who were hired by AGS to repair tiling at the Minneapolis Convention Center were paid a lower prevailing wage than AGS contracted for with the city of Minneapolis. According to the workers, the prevailing wage for terrazzo mechanics was \$44.31 per hour and they were paid a \$16.38 prevailing wage as janitorial or maintenance workers. The workers said that AGS misclassified their work and that they had a right under the contract between AGS and the city to challenge that classification.

A new law, effective April 30, 2013, allows an employee to recover payment from an employer even if the employee is not a party to the contract between the employer and the employer's contracted client.

The law more clearly states that wages are actually earned and unpaid if the employee was not paid for all the time worked at the employee's regular rate or at the rate required by law, whichever is greater.

An employee seeking unpaid wages must demand payment in writing. However, the worker does not have to state the precise amount of unpaid wages or commissions because that information is typically held by the employer.

Rep. Steve Simon (DFL-Hopkins) and Sen. Kari Dziedzic (DFL-Mpls) sponsor the law.

HF748*/SF602/CH27

Law clerk classification change becomes law

Law clerks for each of the five Workers Compensation Court of Appeals judges will change from unclassified appeals court attorneys to classified compensation attorneys.

Rep. Tim Mahoney (DFL-St. Paul) and Senate President Sandy Pappas (DFL-St. Paul) sponsor a new law that would also allow the chief judge to make the appointments, provided it is in consultation with two other judges. Current law allows each judge to appoint their own clerks. The law takes effect May 2, 2013.

The clerks are currently the only five people in the state with this unclassified classification because the assumption long ago was that these would be short-term employees; however, the people stayed, and each time a new judge was appointed he or she would want to retain the law clerk because of their experience.

Supporters said the clerks would not only become part of the classified services, but be in a job class that is the same as the attorneys at the Department of Labor and Industry and the Office of Administrative Hearings.
HF1378*/SF1337/CH33

Some Hennepin County employee benefits could get clarification

Despite being paid by the county, some skilled trade and craft workers and apprentices are not technically considered Hennepin County employees.

If they were, they would be required to pay into the Public Employee Retirement Association pension plan despite having their own labor group pension plan.

A new law, effective Aug. 1, 2013, will allow these employees to be considered county employees while receiving benefits from their labor group.

The new law, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Kari Dziedzic (DFL-Mpls), will allow Hennepin County to negotiate agreements and terms of employment for skilled trade and craft workers with labor groups. Individuals hired under the agreement will also be excluded from the classified service group of county employees.

HF1195*/SF1111/CH41

'Ban the Box' law expanded to private employers

Since 2009, state law has banned a public employer from inquiring whether a job applicant has a criminal record or criminal history at the time a person applies for a job, but the law does not apply to private employers.

The so-called "Ban the Box" law will remove the question that asks job applicants to check a box about whether they have ever been convicted of a felony or gross misdemeanor. The new law also has a provision for jobs that don't include an interview: employers cannot ask about criminal issues until there is a conditional offer of employment.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor the law, which adds private employers among those who must wait until an applicant is selected for an interview to ask the question. The new law takes effect Jan. 1, 2014.

Employers who violate the new law within the first year will be subject to a written warning after their first offense, followed by cash penalties for subsequent violations. Minnesota is the third state to apply the standards to private, as well as public employers.

HF690/SF523*/CH61

PTSD coverage added as workers' compensation benefit

Employees who experience a tragic event at work that results in post traumatic stress disorder may apply for worker's compensation under a new law effective Oct. 1, 2013.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Dan Sparks (DFL-Austin) sponsor a new law that adds PTSD as a covered occupational disease under workers' compensation.

Mahoney said the law resulted from a 2005 Red Lake school shooting where several students and a teacher were murdered by a former student during a shooting spree. A teacher filed a claim for post traumatic stress disorder but was denied worker's compensation, according to Mahoney.

Lawmakers adopted several recommendations of the Workers' Compensation Advisory Council that worked on a list of recommended changes. Among the other employee benefits changing is an increase to the employee's benefit wage. The maximum weekly benefit will increase to 102 percent of the statewide average weekly wage, which currently is \$934.32 through Sept. 30, 2013. The current amount is \$850.

Beginning Oct. 1, 2013, the wage benefit can be adjusted for cost of living increases up to 3 percent. However, if the cost of living drops below zero, the amount would not change.

Injured workers have had unlimited job development and placement services from qualified rehabilitation consultants, or QRCs, who help people returning to work after being rehabilitated and cleared for employment. The law now caps consultant services to 20 hours per month per client. After 13 weeks, the client's progress will

be reviewed and up to 13 more weeks of consulting services may be provided, if necessary, for a maximum total of 26 weeks.

If a worker's compensation case requires legal representation, the formula for the insured's attorney fees changes to a flat 20 percent, with a cap of \$26,000.

Also at the recommendation of the advisory council, the Department of Labor and Industry will conduct a two-year pilot program establishing patient advocates for employees with back injuries who are considering back fusion surgery and other treatment options. Funded by the Special Compensation Fund, the advocates will help injured workers understand their options and the debate over the effectiveness of back fusion surgery.

A department study regarding the potential effects on worker's compensation costs due to reform measures is due to the advisory council by Dec. 31, 2013.

HF1359/SF1234*/CH70

Agencies, departments must absorb wage increases

Eight groups of state employees will receive salary increases under a new law effective May 20, 2013. The increases vary somewhat among the groups, but most of the affected employees will receive 2 percent increases. Employees who are eligible receive performance based increases.

The groups include: Council 5, Unit 225 of the American Federation of State, County and Municipal Employees; InterFaculty Organization members; the Minnesota Nurses Association; members of the Minnesota Government Engineering Council; the Minnesota State College Faculty, and the Minnesota State University Association of Administrative and Service Faculty. Compensation plans for unrepresented employees at the Office of Higher Education and MnSCU administrators were ratified, as well as a new plan for managers at MNsure, the Health Exchange Board.

The law is sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Sen. Chris Eaton (DFL-Brooklyn Center). The agencies or departments where the affected groups work must absorb the cost increase of the pay raises.

HF1069*/SF1185/CH77

Jobs, energy, commerce and housing law has potpourri of provisions

A law that supporters call the best jobs bill in a decade includes additional money for job training and creation, new offices to market state goods overseas and a tax cut for businesses.

It also creates the state's first proposed solar energy production standard, aims to improve broadband service within the state and contains a significant increase in base funding for housing. The law calls for \$461.8 million in spending, of which \$367.76 million will come from the General Fund.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. David Tomassoni (DFL-Chisholm), the following select provisions in the omnibus jobs, economic development, housing, commerce and energy law are effective July 1, 2013, unless otherwise noted.

HF729*/SF1057/CH85

Employment, economic development and workforce development

Supporters are quick to praise a \$346 million tax cut to businesses, claiming it will save every business money by reducing the rate that employers pay on their unemployment assessment. Opponents said the cut would have happened anyway, but this bill just accelerates it by one year.

Under the program, jointly operated by the federal and state government, business owners pay a base rate for their employees. Funds are used for the payment of unemployment benefits. However, special assessments were also needed during the recession to help pay the federal government which had loaned Minnesota money when its trust fund ran dry. Despite the fund being solvent, employers are still paying assessments.

If the Unemployment Insurance Trust Fund has more than \$800 million in it on Sept. 30, 2013, there will be rate reductions, including another one year later. Supporters said that means that every employee is worth at least \$150 and up to \$450 as a tax break to that employer, and they hope that business owners use that money to advance their business by buying new equipment or train their employees to improve their skills and make more money. (Art. 4, Sec. 18)

Among the financial aspects of the economic development portion of the law is \$30 million in new money for the Minnesota Investment Fund that awards funds to local units of government which then provide loans to assist expanding businesses. In

the past eight years, the Department of Employment and Economic Development estimates it has funded 53 projects through the program that has provided more than \$587 million in private investment. (Art. 1, Sec. 3)

Further, the law includes \$24 million in new money for a job creation fund that will enable DEED to use the funds to help businesses make capital investments and create jobs in the state. (Art. 1, Sec. 3)

Several different programs designed to assist disabled Minnesotans participate in the workforce are funded at levels identical to current funding and to the governor's proposed budget: Vocational Rehabilitation Services; Extended Employment; Centers for Independent Living; State Services for the Blind; and Supported Employment. (Art. 1, Sec. 3)

In the area of workforce development, the law, in part, provides \$3 million for the FastTRAC program, which helps those with barriers to finding a job, such as a language difficulty or not having a GED, secure employment. (Art. 1, Sec. 3)

The law allocates \$987,000 in fiscal year 2014, on a onetime basis, for a pilot customized training program for manufacturing industries. DEED and the Department of Labor and Industry will work with the Minnesota State Colleges and Universities system to develop a customized training program for manufacturing industries that integrate academic instruction and job-related training in the workplace. The program will occur at four campuses (Alexandria Technical and Community College, Century College, Hennepin Technical College and Central Lakes College) with a goal of creating skilled workers for current and projected manufacturing openings. (Art. 1, Sec. 3; Art. 3, Sec. 24)

To encourage state licensure of foreign-trained health care professionals, the law will allocate \$450,000 for DEED to "collaborate with health-related licensing boards and Minnesota workforce centers to award grants to foreign-trained health care professionals sufficient to cover the actual costs of taking a course to prepare health care professionals for required licensing examinations and the fee for the state licensing examinations." This is expected to affect about 250 people. (Art. 1, Sec. 3)

In hopes of attracting more television and film production to the state, the law will provide \$10 million in funding to the

Minnesota Film and TV Board to offer financial incentives, such as production cost rebates. The board's oversight will be moved from the Administration Department to DEED.

Additionally, effective May 24, 2013, the law increases from 20 to 25 percent the reimbursement allowed of production costs for films that locate outside of the Twin Cities metropolitan area or that incur more than \$1 million in Minnesota expenditures in a 12-month period; or up to 20 percent (from 15) of production costs for films that incur production costs of less than \$1 million in the metro area within a 12-month period. (Art. 1, Sec. 3; Art. 3, Sec. 16)

The lone overseas Minnesota trade office is now in China. The law provides an additional \$1.63 million for three more offices in yet-to-be-determined locales to help Minnesota businesses sell their goods in foreign markets. Furthermore, a State Trade and Export Promotion grant program is established to provide assistance to small businesses interested in exports.

The law also establishes a 15-member trade policy advisory group to advise and assist the governor and Legislature regarding United States trade agreements. (Art. 1, Sec. 3; Art. 3, Secs. 9-11)

In fiscal years 2014 and 2015 repayment amounts from the City of St. Paul to the state on a loan used to construct the Xcel Energy Center are reduced by \$500,000 and no money is to be repaid in fiscal years 2016 through 2021. Instead, those dollars must be used for arena improvements. (Art. 5, Sec. 47)

DEED is to conduct a yearly cost of living study, adjusted for family size by county that includes an analysis of statewide and county employment and job vacancy data and recommendations for helping the assessment of employment and economic development planning in the state. A report is due the Legislature by Feb. 1 each year.

Additionally, in collaboration with the Office of Higher Education and local workforce councils, DEED is to "produce and publish labor market analysis describing the alignment between employer requirements and workforce qualifications." The report must include: current and projected job growth in industry sectors and occupations, identification of high growth and high vacancy jobs, the number of recent graduates and current enrollees in credential and degree programs, and completion rates and average debt. (Art. 3, Secs. 1-2)

Other provisions in the law include:

- the Office of Collaboration and Dispute Resolution is created at the Bureau of Mediation Services; (Art. 1, Sec. 7)
- setting out the requirements for the licensing and registration of elevator constructors and contractors and adds elevator repairs to items needing a permit; (Art. 2, Secs. 22-24)
- establishing plumbing permit fees; (Art. 2, Sec. 34)
- moving the jurisdiction of combative sports to DOLI, requires promoter bonds of at least \$10,000 and updates the fee schedule for professional licenses issued by the commissioner; (Art. 2, Secs. 38, 41, 43)
- DEED is to study the training needs of employers in the skilled manufacturing industry and report back to the Legislature by March 1, 2014; (Art. 3, Sec. 25)
- an addition of new barber fees for a retake of written examinations, renewal of student permits, letter of license verification, and reinspection; (Art. 5, Sec. 3)
- prohibiting anyone who is not a registered barber or barbershop to display a red or white or red, white and blue cylindrical pole; (Art. 5, Sec. 19) and
- the city of St. Paul, effective Jan. 1, 2014, may require that a reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction with the construction permit required for new housing units and new commercial and industrial development in the city. (Art. 5, Sec. 44)

Energy

A slew of energy provisions are also part of the law. At the core of those measures is the state's first solar energy production standard.

The mandate requires Minnesota's largest utilities to procure or produce 1.5 percent of their energy from photovoltaic solar installations by 2020 and sets a non-mandatory goal of 10 percent of the state's electricity be produced using solar technology by 2030. (Art. 10, Sec. 3)

Only the state's investor-owned utilities, like Xcel Energy, will be subject to the solar standard, however. Municipal electric utilities and cooperative associations will be exempt; iron ore mining and paper and taconite processing plants are also excluded from the mandate.

The solar standard comes on top of the state's existing 25 percent by 2025 renewable energy mandate.

The energy portion of the law also increases

a long-standing limit on the size of customer-owned wind or solar installations that can be connected to the power grid and sell their unused power to investor-owned utility companies. Systems that generate up to 1,000 kilowatts will be eligible. The cap had previously been 40 kilowatts. (Art. 9, Secs. 3-4)

The Department of Commerce – which regulates utilities – will develop a new formula for utilities to use to pay customers for electricity generated from solar energy. Utilities currently pay solar generators the retail electric rate for this energy; a new “value of solar rate” will calculate the actual value of that power to the utility, including factors like transmission cost savings and environmental benefits. (Art. 9, Sec. 10)

Other energy provisions signed into law include:

- \$5 million for five years in annual production-based incentives to residential and commercial customers who install solar panels on their homes and businesses; (Art. 10, Sec. 1)
- a “Made in Minnesota” incentive for the installation of photovoltaic and solar thermal energy systems manufactured in the state; (Art. 11, Secs. 1-7) and
- a requirement that directs Xcel Energy to submit a plan for a community garden solar program that allows individuals and businesses to purchase a portion of the capacity of a single solar installation located in the community. These customers may claim credit on their utility bills for excess electricity generated by the solar facility and sold to the utility as if the panel were installed on their own property. Each shared system must have at least five owners and is capped at one megawatt. (Art. 10, Sec. 2)

Commerce

In the area of commerce, the funding portion of the law largely follows the governor's recommendations in protecting consumers and increasing business responsiveness. Many of the agencies in this area are fee-based.

The law spends \$700,000 for the newly created Office of Broadband Development within DEED to improve broadband service within the state in order to drive job creation, serve the ongoing needs of the state's education system and improve accessibility for underserved communities and populations.

Effective May 24, 2013, an annual

report will be due to the Legislature that includes, in part, an analysis of the current availability and use of broadband, including average broadband speeds, within the state; information from schools, libraries, hospitals and public safety facilities determining the speed and capacity of current broadband and the potential need for increases to meet current or anticipated needs; and an analysis of the degree to which new, additional or improved broadband infrastructure would spur economic development in the state.

An additional \$11 million for Explore Minnesota Tourism is called for in the law to encourage economic activity throughout the state.

The Commerce Department is given \$25,000 each fiscal year to use “for newspaper advertising directed at persons who own or may own unclaimed property.” (Art. 1, Secs. 5, 13; Art. 3, Secs. 13, 26)

Housing

The law contains a \$22 million ongoing base funding increase for the Minnesota Housing Finance Agency. Supporters indicated it is the first significant increase in more than a decade.

The law includes a onetime \$10 million appropriation for housing in communities and regions that, in part, have low housing vacancy rates, experienced job growth since 2005, have cooperatively developed a plan that identifies current and future housing needs or have a significant portion of area employees who commute more than 30 miles to their job. This, supporters say, is especially important in parts of Greater Minnesota.

To help increase student achievement by increasing their housing stability, the law appropriates \$2 million in onetime money in fiscal year 2014 for temporary rental assistance for families with school-age children who have changed home or school at least once in the past school year.

The Voice of East African Women Organization is to receive \$175,000 each year to provide safe housing for victims of domestic abuse and trafficking. According to the law, “the program shall provide shelter to East African women and children in Minnesota and other victims of domestic violence.” (Art. 1, Sec. 4)

Changes for employees who have sick leave benefit

Employees who work under a vacation/sick leave method of paid time off will have a minimum four weeks of sick leave to care for an ailing relative under a new law effective Aug. 1, 2013. Current law only allows sick leave when caring for a child; eligibility will now expand to include caring for an adult child, spouse, parent, grandparent or stepparent.

Rep. Rick Hansen (DFL-South St. Paul) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor the law.

In order to gather real data on the financial impact, Minnesota Management & Budget will analyze the state's fiscal impact from employees using the expanded sick leave benefits. The report will be due legislators Aug. 1, 2014.

Rep. Carly Melin (DFL-Hibbing) and Sen. Jeff Hayden (DFL-Mpls) said they wanted to see care for a grandchild, niece or nephew included in the benefits because many grandparents, aunts and uncles are primary caregivers. Champion suggested they revisit the issue after the MMB analysis of the fiscal impacts is completed.

Previous fiscal notes indicated costs of up to \$27 million a year to local governments and \$10 million annually to the state. Besides compensating an employee on sick leave, counties and cities would likely need to pay time-and-a-half for replacement workers when the employee is in a public safety role, such as police and fire, according to testimony.

HF568/SF840*/CH87

Contributors will pay more into pension funds

Deficiencies across several state employee pension and retiree plans have resulted in a series of benefit reductions along with contribution increases and a new formula moving forward into solvency by the year 2038.

The provisions are included in the omnibus pension law, effective May 24, 2013, unless otherwise noted.

Rep. Mary Murphy (DFL-Hermantown) and Senate President Sandy Pappas (DFL-St. Paul) sponsor the law, which includes pensions for judges, teachers, police and firefighters, state patrol, corrections officers and general state and local government employees.

Most groups will continue to see benefit

reductions and contribution increases.

The state patrol pension plan, which has a funding level of 72.8 percent, will implement a two-step contribution rate increase totaling 2 percent for employees and 3 percent for employers. (Art. 9)

Police and fire pension members will see their service requirements for a fully vested pension increase from three to 10 years for members employed after June 30, 2010, and 20 years for members employed after June 30, 2014. Due to the plan's funding deficiency, police and fire fund members and employers will pay two-step contributions increases. The total contribution increase for employees is 1.2 percent of salary, and for employers 1.8 percent of salary. (Art. 11)

Both the St. Paul and Duluth teachers' pension plans are currently experiencing significant funding deficiencies. Both funds will see increased employee contributions as well as an increased state appropriation. (Art. 13)

Judges will see a decrease in their annual cost of living increases until the judge's pension plan is at least 70 percent funded. Also, judges will be divided into two tiers. Benefits and contributions will be lower for tier two judges than for tier one judges. A tier two judge is a person who was first appointed or elected as a judge after June 30, 2013 or who was first appointed or elected as a judge before July 1, 2013, had less than five years of allowable service on or before Dec. 30, 2013, and chose to be into the tier two program. (Art. 14)

HF1152/SF489*/CH111

In-home care providers could unionize under new law

A controversial new law will allow labor organizing that could unionize thousands of home-based care providers.

The law gives many child-care providers and personal care assistants a route to collective bargaining with the state. It allows union drives that, if successful, will trigger elections in which the affected workers will decide whether to unionize.

The law covers licensed and unlicensed in-home child-care providers who get state reimbursement for taking care of children in the need-based Child Care Assistance Program. The American Federation of State, County and Municipal Employees, or AFSCME, has sought to organize those workers. If they vote to unionize, they will be able to bargain collectively with the state on

issues such as CCAP reimbursement rates.

The law also affects some in-home personal care attendants who work for elderly or disabled Minnesotans, and whose services are at least partly funded by the state. The Services Employees International Union, or SEIU, has been working with those people, many of whom care for family members. If they unionize, they would be able to bargain collectively with the state on issues such as pay and benefits.

To trigger an election, AFSCME and SEIU will each have to collect signatures in support of unionization from at least 30 percent of the workers who would be eligible to vote. Elections would be held by mail ballot.

Neither group would have the right to strike. Agreements they reached with the state would have to be approved by the Legislature.

If the union drives are unsuccessful, much of the new law will expire on June 30, 2017. Except as otherwise noted in statute, the law is effective May 25, 2013.

HF950/SF778*/CH128

Energy

HED Fuel adjustment clause inserted into biomass mandate law

A northern Minnesota power agency will be paid more for energy produced by a wood-burning power plant under an amendment to the state's electric energy biomass mandate.

Rep. Carly Melin (DFL-Hibbing) and Sen. David Tomassoni (DFL-Chisholm) sponsor an amendment to state law that directs Xcel Energy, at the request of Laurentian Energy, to negotiate a higher rate for electricity generated at the company's biomass-fueled plants in Hibbing and Virginia that will cover the full cost of electricity produced at the facilities.

The measure is identical to fuel adjustment clauses in place for two other biomass-powered plants in St. Paul and Benson. The facilities were constructed as part of legislation passed in 1994 that obligated Xcel to meet a biomass energy production mandate in return for the storage of radioactive spent nuclear fuel rods at Prairie Island.

Effective May 14, 2013, the amended law raises the price cap for purchased energy from the Hibbing and Virginia plants from \$104 to \$109.20 per megawatt hour. It also requires Xcel to reimburse

Laurentian monthly for costs associated with procuring and delivering fuel in excess of \$3.40 per million BTUs and requires the investor-owned utility to purchase all energy produced at the facilities up to 110 percent of scheduled production.

HF623/SF521*/CH57

Landowners displaced by transmission lines given more options

Utilities must spend more on a program aimed at low-income customers and landowners displaced by high-voltage transmission lines will have more rights in dealing with the energy companies that build them under a new energy law.

Under a law that takes effect July 1, 2013, the state's amended "buy the farm" law will allow an agricultural landowner in the route of a new transmission line to choose to have the utility constructing it purchase their entire property and compensate for the real costs of relocation instead of only the parcel required to build the new line. It was a provision pushed for by Rep. David Bly (DFL-Northfield), advocated for by farmers and landowners impacted by the 700-mile CapX2020 transmission line being built through a portion of the state.

The law, sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. D. Scott Dibble (DFL-Mpls), also requires a public utility providing natural gas to increase the amount of money it spends for low-income customers from 0.2 percent to 0.4 percent of its three-year average gross operating revenue.

Another provision of the law allows utilities to include or exclude energy and cost savings generated through low-income conservation programs deemed to not be cost effective toward the utility's annual energy savings goal.

HF854*/SF695/CH132

Env. & Natural Resources

New definitions and process clarifications enacted.

A drainage authority will be more clearly able to reestablish drainage system records that are lost, destroyed or otherwise incomplete. The authority can undertake that reestablishment with several requirements, including that the process involve an

examination and report by a licensed engineer.

A new law also clarifies that channel erosion reduction and other water quality improvement measures may be incorporated into drainage system repair projects, and adds incorporation of a multi-stage ditch to the list of repairs that, in some circumstances, require the appointment of viewers.

Other changes include:

- the definition of the term "board" for purposes of drainage law is amended to include a joint county board, the board of managers of a watershed district, or a watershed management organization to provide clarification of roles when those entities are acting as drainage authorities;
- clarification of the transfer of drainage system records between a county and a watershed district when drainage authority is transferred; and
- clarifications of authority for wetland and water-quality improvement elements in certain projects.

Rep. Rick Hansen (DFL-South St. Paul) and Sen. Dan Sparks (DFL-Austin) sponsor the law.

HF666*/SF113/CH4

LCCMR appropriations target invasive species

A \$38.16 million appropriation will fund 46 natural resources projects recommended by the Legislative-Citizen Commission on Minnesota Resources.

Nearly one-quarter of the money will go to the University of Minnesota's Aquatic Invasive Species Center – \$4.35 million in fiscal year 2014 and the same amount in fiscal year 2015.

Money for the projects comes from the Environment and Natural Resources Trust Fund, which the commission provides funding recommendations to the Legislature on. The fund was created by constitutional amendment in 1988 using money generated by the Minnesota State Lottery.

Rep. Jean Wagenius (DFL-Mpls) and Sen. Kari Dziedzic (DFL-Mpls) sponsor the law, which will allow the university to get started with its work on species such as zebra mussels and carp. Wagenius called it a "significant amount for the research center to actually hire some professors and get the graduate students to do the lab work that needs to be done."

Effective July 1, 2013, some of the other appropriations include:

- \$3 million to the Board of Water and Soil Resources to continue providing grants to soil and water conservation districts and other units of local and state government to hire staff to reenroll expiring lands and programs for conservation purposes;
 - \$2 million for the University of Minnesota to acquire about 80 acres of land surrounding Lake Tamarack in Carver County as part of the landscape arboretum;
 - \$1.5 million to acquire a portion of 12 acres for Frogtown Farm and Park to be established as a St. Paul city park;
 - \$1 million for the Department of Natural Resources to acquire authorized state trails and critical parcels within the boundaries of state parks;
 - \$1 million for the DNR to continue the update and enhancement of wetland inventory maps for Minnesota; and
 - \$200,000 to the University of Minnesota to evaluate and identify native Minnesota elms resistant to Dutch elm disease.
- HF1113*/SF987/CH52

DNR given land authority by new law

The Department of Natural Resources can sell, exchange and acquire lands to meet its conservation mission, and legislative approval of tax-forfeited land sales is also given to local units of government when a new law takes effect Aug. 1, 2013.

Sponsored by Rep. Roger Erickson (DFL-Baudette) and Sen. Fong Hawj (DFL-St. Paul), the law also allows the Department of Revenue to convey tax-forfeited land, for no monetary compensation, to be used as school forests.

However, an additional provision would require those lands be subject to a perpetual conditional use deed. They would revert to state control if not used as a school forest for three consecutive years.

HF740*/SF886/CH73

Cattail removal OK for Shaver Lake

Landowners with property on the shores of Shaver Lake in Hennepin County will receive an aquatic plant management permit. The new law requires the Department of Natural Resources to issue the permit for the mechanical control of hybrid and narrow-leaved cattails that have disrupted the area's natural ecology.

Rep. John Benson (DFL-Minnetonka),

who sponsors the law with Sen. Terri Bonoff (DFL-Minnetonka), said the area has been a dumping ground for storm water runoff for the past 30 years, which led to the growth of the cattails.

The law allows the neighborhood association to harvest those cattails as has been done previously, according to Benson.

The law is effective Aug. 1, 2013.

HF461*/SF248/CH75

Hazardous leak notification information will expand

Currently, the state emergency response center or a firefighting or law enforcement organization must be notified when a reportable quantity of a hazardous or extremely hazardous substance is released or spilled.

Sponsored by Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Katie Sieben (DFL-Newport), a new law will ensure that the state emergency response center also notify a local 911 emergency dispatch center within 24 hours of the notification, unless “the situation requires an immediate response or the area is unknown to the center.” Then, the state emergency response center shall direct the caller also to call local authorities.

The law takes effect Jan. 1, 2014.

Supporters note that under current law, the state duty officer does not require them to notify local jurisdictions, and Schoen said that local authorities will sometimes get an e-mail report three or four days after an oil refinery in his district called the state duty officer to report a release of something, but there is no notification to local authorities.

They add that earlier and quicker notification allows for faster informed decisions when it comes to the safety of citizens and the refinery employees. For example, they note a release of chemicals on a rainy day is a significantly different event than a release of some of these chemicals on a mild, calm, sunny day.

HF814*/SF1033/CH92

New law modifies PFA grant programs

The Total Maximum Daily Load grant program will expand effective Aug. 1, 2013. Administered by the Public Facilities Authority (PFA), the program provides grants to local units of government working to control water pollution. A total maximum daily load is the calculation of the maximum

amount of a pollutant a body of water can receive and still safely meet water quality standards.

The new law expands the program to allow for projects necessary to meet limits for certain phosphorous, nitrogen or other water quality effluents. It also eliminates some requirements that must be satisfied before the PFA awards those grants.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Bev Scalze (DFL-Little Canada), the law also increases the maximum grant amounts for the small community wastewater treatment program from \$10,000 to \$20,000, plus \$1,000 (up from \$500) for each household up to a maximum of \$60,000 (up from \$40,000).

The new maximum amount that could be awarded for a project under the small community wastewater treatment program will be \$2 million. It had been \$500,000 per year, up to three years.

HF819*/SF613/CH105

Invasive species fight is funded in new environment, ag law

Nearly \$16 million to fight the spread of invasive species across Minnesota and a water quality certification program are two key provisions of the omnibus environment, natural resources and agriculture finance and policy law.

The invasive species money is to be used for management, public awareness, assessment research and inspections to curb the spread of invasive plants and animals on land and in the water. That appropriation is one of dozens included in the law, which funds and gives direction to hundreds of programs throughout the state.

The law, effective July 1, 2013, unless otherwise noted, appropriates \$702.1 million for environment and natural resources programs and another \$81.3 million for agriculture programs.

HF976*/SF1170/CH114

Renew, recycle

One of those is a water quality certification program establishing a voluntary pilot program in select watersheds that would presume that qualifying farmers are contributing their share of any applicable targeted reduction of water pollution for up to 10 years.

To receive that certification, farmers choosing to participate need to demonstrate compliance with applicable environmental

rules and statutes, and score well on a new assessment tool developed by the Department of Agriculture, which oversees the program. (Art. 2, Sec. 1)

The law also establishes a new program designed to increase the recycling of unused paint. When it takes effect, architectural paint — defined as interior or exterior architectural coatings sold in containers of five gallons or less — may not be sold in Minnesota by a producer or retailer that is not a participant in a product stewardship plan.

Those plans, which need to be approved by the Pollution Control Agency, must organize a system to collect discarded products, without a fee. They must also state that the stewardship program will accept all discarded products, regardless of who produced them, and propose a uniform “stewardship assessment” be placed on all products sold in the state. Retailers must include the fee in the price of that product they sell. (Art. 4, Sec. 78)

The law also requires a permit from the Department of Natural Resources before excavation or mining of silica sand can take place in certain parts of the state. It further directs the Environmental Quality Board to establish model standards and criteria for silica sand mining, processing and transporting. They can be used by local units of government in developing local ordinances. The EQB is also directed to assemble a technical assistance team that can help local units of government with issues arising from mining and processing operations. (Art. 4, Secs. 66, 91)

Other provisions

The law, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. David Tomassoni (DFL-Chisholm), also includes:

- \$300,000 to protect pollinator habitat, and language directing the Department of Agriculture to incorporate pollinator habitat best practices into pesticide applicator and county agricultural inspector training; (Art. 1, Sec. 3)
- \$20.4 million for the Agricultural Growth, Research and Innovation program to develop new markets for Minnesota farmers, facilitate livestock operations and provide for biofuel and other energy development including renewable energy projects for rural residents; (Art. 1, Sec. 3)
- A provision that the NextGen Energy Board make grant recommendations to the Department of Agriculture for owners of

- Minnesota facilities producing bioenergy or biobased content, organizations researching agronomic or economic requirements of prairie plants and other perennials for bioenergy systems and other non-government entities; (Art. 1, Sec. 3)
- \$2 million for the state's county fairs to enhance arts access and education to preserve and promote Minnesota's history and cultural heritage; (Art. 1, Sec. 3)
- \$1 million for grants to Second Harvest Heartland; (Art. 1, Sec. 3)
- Provisions for the definition and control of noxious weeds; (Art. 2, Secs. 21, 23)
- Changes to the petroleum replacement goal, lowering the specified biofuel portion of total gasoline sold, or offered for sale, in Minnesota by 2015 from 20 percent to 14 percent, but raising the portion sold, or offered for sale, by 2025 from 25 percent to 30 percent; (Art. 2, Sec. 63)
- \$7.2 million to the PCA for its leaking underground storage tank program to protect the land; (Art. 3, Sec. 3)
- \$16.8 million to the DNR for the snowmobile grants-in-aid program; \$14.29 million for prevention, pre-suppression and suppression costs of emergency firefighting; and \$1.4 million to the DNR to develop and maintain a records management system capable of providing real-time data with global positioning system information; (Art. 3, Sec. 4)
- \$11.2 million to the Metropolitan Council for metropolitan area regional parks and trails maintenance and operations (adding both funding sources gives a higher amount); (Art. 3, Sec. 6)
- A provision allowing the DNR, within designated groundwater management areas, to require consumers using less than 10,000 gallons of water per day, or 1 million gallons per year — and water suppliers serving less than 25 persons for domestic purposes — to get a general permit for water use from the DNR; (Art. 4, Sec. 72)
- A provision requiring laboratories performing wastewater or water analytical work being done to determine compliance with a national pollutant discharge elimination system or state disposal system, to be certified according to specified criteria; (Art. 4, Sec. 76)
- A provision allowing the Hennepin County Board of Commissioners to petition the Board of Soil and Water Resources to discontinue the Hennepin Soil and Water Conservation District.

If the petition is made and granted, the commissioners may assign those duties and responsibilities elsewhere within the county government; and (Art. 4, Sec. 96)

- Provisions moving the oversight over sanitary districts from the PCA to the Office of Administrative Hearings. (Art. 5)
HF976*/SF1170/CH114

Omnibus legacy law distributes nearly \$500 million

The Minnesota State Arts Board will receive \$42.6 million to support artists and arts organizations in creating high-quality arts activities, overcome barriers to accessing them, and instill the arts into the community and public life thanks to a new law.

The legislation also appropriates \$20.4 million to the Board of Soil and Water Resources for grants to protect and restore surface, ground and drinking water and to protect, enhance and restore water quality in lakes, rivers and streams. In addition, BWSR receives \$12 million for grants to local government units that have multiyear plans that will result in a significant reduction in water pollution in a selected watershed. (Art. 2, Sec. 7)

Those are two of the dozens of provisions in the omnibus legacy law sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Richard Cohen (DFL-St. Paul). All portions of the law are effective July 1, 2013, unless otherwise noted.

The law appropriates a total of \$496.1 million to fund dozens of arts, parks, trails and natural resources projects. That money will be divided among four funds endowed by the Clean Water Land and Legacy Amendment passed by voters in 2008:

- Clean Water Fund - \$194.9 million (Art. 2)
- Arts and Cultural Heritage Fund - \$115.9 million (Art. 4)
- Outdoor Heritage Fund - \$100.05 million (Art. 1)
- Parks and Trails Fund - \$85.1 million (Art. 3)

The law maintains the traditional split of money from the Parks and Trails Fund. Forty percent would go to state parks and trails, 40 percent to parks and trails in the metropolitan area, and 20 percent to parks and trails in greater Minnesota.

As part of an effort to better develop, support and maintain the parks and trails in the latter category, the law also establishes a Greater Minnesota Regional Parks and

Trails Commission. (Art. 3, Sec. 8)

This 13-member commission will establish six regional parks and trails districts in the state, encompassing the area outside the seven-county Twin Cities metropolitan area. It will be comprised of two representatives from each district and one at-large member. They will develop a strategic plan determining parks and trails of regional significance eligible for funding from the Parks and Trails Fund.

The law also directs the Lessard-Sams Outdoor Heritage Council — which oversees the Outdoor Heritage Fund — to examine transitioning to a biennial recommendation process beginning in fiscal year 2016. The council is required to submit a report on that subject, along with recommendations on heritage fund spending, to House and Senate members by Jan. 1, 2014. (Art. 1, Sec. 3)

Gov. Mark Dayton did line-item veto two funding provisions: \$6.3 million “for grants to restore and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife in the metropolitan regional parks system” and \$3 million “for aquatic invasive species grants to tribal and local governments ... for education, inspection, and decontamination activities at public water access, and other sites.” Neither item was endorsed by the heritage council.

“My line-item vetoes do not reflect a lack of support for the two projects; rather they underscore my conviction that the House Legacy Committee must work with its citizen councils, not against them. I will ask the Lessard-Sams Outdoor Heritage Council to reconsider these two projects when it assembles its next funding recommendations,” Dayton wrote in his veto letter. “I believe it is imperative that the leadership of the House Legacy Committee repair its relations with the Lessard-Sams Council and the many sportsmen, sportswomen, outdoor recreation enthusiasts, hunters, anglers, and everyone else committed to the enhancement of our state's priceless outdoor heritage. Otherwise, I have serious doubts that a Legacy Bill can be enacted in future legislative sessions.”

Other appropriations in the law include:

- \$5 million to the Department of Agriculture to increase monitoring and evaluation of nitrates in groundwater areas vulnerable to degradation and \$3 million to implement an agricultural water quality certification program; (Art. 2, Sec. 3)

- \$18 million for Public Facilities Authority to run the total maximum daily load grant program; (Art. 2, Sec. 4)
- \$18.8 million for the Pollution Control Agency to develop watershed restoration and protection strategies for watersheds listed on the Environmental Protection Agency's approved impaired waters list; \$15.2 million for the agency to complete 20 percent of the statewide assessments of surface water quality and trends; and \$6.9 million for the PCA to enhance county-level delivery systems for subsurface sewage treatment systems activities. This includes base grants for all counties with SSTS programs; (Art. 2, Sec. 5)
- \$4 million for the Department of Natural Resources to install additional monitoring gauges to help determine the relationship between stream flow and groundwater; (Art. 2, Sec. 6)
- \$20.4 million to the Board of Soil and Water Resources for grants to protect and restore surface water and drinking water, to keep water on the land, enhance and restore water quality; and \$13 million to purchase and restore permanent conservation easements on riparian buffers adjacent to lakes, rivers, streams and tributaries to keep water on the land, reduce pollution and increase groundwater recharge; (Art. 2, Sec. 7)
- \$33.7 million to the DNR for state parks, trails and recreation areas to connect people to the outdoors, acquire land, create opportunities, maintain existing holdings and implement long-range plans; and \$7.6 million for grants to acquire, develop, improve and restore parks and trails of regional or statewide significance outside of the seven-county metro area; (Art. 3, Sec. 3)
- \$33.7 million to the Metropolitan Council for parks and trails of regional or statewide significance in the metropolitan area, including a \$6.4 million grant to the Minneapolis Park and Recreation Board for projects at Above the Falls Regional Park, Central Mississippi Riverfront Regional Park and Minneapolis Chain of Lakes Regional Park; (Art. 3, Sec. 4)
- \$11.2 million to the Minnesota Historical Society for history programs and projects operated by or through local, county, regional or other historical or cultural organizations to preserve significant historic and cultural resources. The funds are to be distributed through a competitive-grant process; (Art. 4, Sec. 2)
- \$6 million to the Department of Education for grants to 12 Minnesota regional library systems to provide educational opportunities in the arts, history, literary arts and cultural heritage of the state; (Art. 4, Sec. 2)
- \$3.5 million to the Minnesota Zoo for programs and development of the Minnesota Zoological Garden and to provide access to the arts, arts education and cultural heritage of the state; (Art. 4, Sec. 2)
- \$3 million to Minnesota Public Radio to create programming and expand news service on the state's cultural heritage and history; (Art. 4, Sec. 2)
- \$2.2 million to the Science Museum of Minnesota, with \$1.2 million of that amount to be used to upgrade the museum's Omnitheater audio and projection systems; (Art. 4, Sec. 2)
- \$2 million to children's museums in the state, including \$1 million for the Minnesota Children's Museum and \$400,000 for the Duluth Children's Museum; (Art. 4, Sec. 2)
- \$1 million to the Como Park Zoo for program development, with priority given to projects that have a non-state cash match of at least 25 percent of the total cost; (Art. 4, Sec. 2)
- \$150,000 for grants to small movie theaters to transition from film to digital projection systems; (Art. 4, Sec. 2)
- \$80,000 for at least four grants to local units of government for veterans memorials in municipal parks that preserve the culture and heritage of Minnesota; (Art. 4, Sec. 2) HF1183*/SF1051/CH137

Game & Fish

License provisions changed for critically ill, disabled veterans

Critically ill persons will be allowed, once in a lifetime, to purchase hunting licenses otherwise limited by a lottery drawing — including wild turkey, deer, bear, prairie chicken and wolf — under a provision of the omnibus game and fish law.

When the law takes effect Aug. 1, 2013, it will also allow veterans with 100 percent permanently disabled status to receive a permanent card allowing them to more easily obtain a hunting license, for deer or small game, free of charge.

In addition, the law requires the DNR to

designate one weekend each year when an all-terrain vehicle may be operated on state and grant-in-aid trails without registration.

The law, sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. Matt Schmit (DFL-Red Wing), also allows non-residents to participate during the designated weekend without a state trail pass.

HF742/SF796*/CH121

Health & Human Services

Medical Assistance expands to cover more Minnesotans

An estimated 40,000 additional low-wage earners and their families may qualify for Medical Assistance coverage as a result of a new law that extends coverage to those making up to 138 percent of the federal poverty level, including a standard 5 percent income disregard or about \$15,000 per year. Increases in income limits take effect Jan. 1, 2014.

Rep. Thomas Huntley (DFL-Duluth) and Sen. Kathy Sheran (DFL-Mankato) sponsor the law, which allows the state to exercise its option under the federal Patient Protection and Affordable Care Act to expand Medical Assistance.

The state is expected to save \$129 million in the Health Care Access Fund during the 2014-2015 biennium, and an estimated \$237 million the following biennium.

The federal government will pay 100 percent of the cost for adults without children who qualify through 2016. Beginning in 2017, the federal government will gradually reduce that support to 90 percent of the cost for 2020 and subsequent years.

Huntley said expanding MA coverage will result in less uncompensated care and raise reimbursements to health care providers. When the uninsured are treated in emergency rooms, hospitals either suffer a financial loss or pass those costs onto insured patients.

MA income limits for adults without children will change from 75 percent of the federal poverty level to 138 percent; MA income limits for parents would expand from 100 percent of the federal poverty level to 138 percent, as well.

In addition to the newly eligible, thousands of people currently enrolled in the state-offered MinnesotaCare health insurance program are expected to shift to the expanded MA program. The law transfers about

\$63.6 million from the Health Care Access Fund to the General Fund in 2014-15 to cover the cost of insuring some MinnesotaCare enrollees who are not eligible for the full federal funding under the Patient Protection and Affordable Care Act.

HF9*/SF5/CH1

Requirements eased for critical access hospitals

Hospitals and other providers of advanced diagnostic imaging services must be accredited by one of three national accreditation organizations to be eligible for payment when they provide the service.

Accreditation can be expensive, especially for about 50 small rural hospitals, according to House members representing Greater Minnesota. A new law will permit payment for advanced diagnostic imaging services at hospitals, even if the hospital is not accredited. They still will need to be licensed by the Department of Health.

Rep. Jay McNamar (DFL-Elbow Lake) and Sen. Kent Eken (DFL-Twin Valley) sponsor the new law that takes effect Aug. 1, 2013.

HF582*/SF493/CH8

Online service to aid consumers seeking health insurance

The Minnesota Insurance Marketplace, called MNsure, has been established to govern an online exchange where individuals and small business employers can shop for health care coverage. Depending upon a person's income, the insured may be eligible for premium tax credits and cost-sharing subsidies under the Patient Protection and Affordable Care Act. Enrollment is scheduled to open in Oct. 1, 2013, with coverage beginning Jan. 1, 2014.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Tony Lourey (DFL-Kerrick) sponsor the law, effective March 21, 2013 but has various implementation dates.

A state agency, governed by a seven-member board, has been created to operate the exchange, including the state's Medicaid program. The agency is expected to employ more than 80 people with an annual cost of \$62 million. Board meetings must comply with the open meeting law, with a few common exceptions. (Sec. 5)

Six of the seven appointments by the governor to the board must be approved by the House and Senate. These six appointees

will represent varying levels of interest or involvement in health care issues; the seventh member will be the Department of Human Services commissioner or her appointee. Members are limited to two terms, except the commissioner. Board members cannot be employed by a health carrier and they must recuse themselves if they have a conflict of interest. Members will be paid up to 25 percent of the governor's salary through 2015. Beginning Jan. 1, 2016, they will receive \$55 per day plus expenses to attend quarterly meetings. They may rely on advisory committees, whose members also are entitled to recover expenses for attending meetings, but they are not paid the daily stipend. (Sec. 6)

The board will hire staff and establish a budget. Within 180 days of being signed into law, the marketplace must have bylaws, policies and procedures in place.

Premium withholding taxes on policies sold through the exchange will be the primary funding source for the new agency. Prior to January 2015, the marketplace will retain up to 1.5 percent of premiums on all the health and dental care plans sold through the exchange up to a \$40.25 million cap. (Sec. 6)

Minnesota Comprehensive Health Association, the state's high-risk insurance pool, will eventually be phased-out because federal reforms no longer make the pool of coverage necessary. MNsure must ensure the least amount of disruption to MCHA enrollees as they transfer to health plans offered through the exchange. (Sec. 15)

As the marketplace gets up and running in 2014-2015, the commissioner of Minnesota Management & Budget is authorized to loan the marketplace up to \$20 million if needed for cash flow. Any loan will need to be paid back with interest by June 30, 2015.

The board had until April 30, 2013, to establish certification requirements for insurance producers (agents) who want to sell plans in the exchange. Training is required of the producers about the plans sold through the exchange, the available federal tax credits, data privacy standards, and how to enroll. Producers will be obliged to disclose certain information to consumers about the policies they sell and their qualifications.

In addition, the board will establish policies and procedures for insurance navigators, in-person assisters and call centers. Training for these customer assistance workers must include information about privacy standards in handling sensitive or private information.

The board will develop its rules to implement the new law. Between now and Jan. 1, 2015, there is a special process. Under this process, the board will publish notice of the proposed rules in the State Register. Anyone who wants to comment on the proposed rules will have 21 days to comment. Final rules will take effect upon publication of notice of adoption in the State Register or 30 days after that publication, beginning Jan. 1, 2014. Beginning Jan. 1, 2015, the board is required to use an expedited rulemaking process. (Sec. 7)

MNsure is subject to data privacy provisions in Chapter 13 of state law. Data on participants in the exchange, be they individuals or small businesses, is considered private or non-public data. However, the marketplace is allowed to share information as authorized through state or federal law and with other state and federal agencies only to the extent necessary to verify a person's enrollment eligibility.

In light of recent breaches of privacy in another state agency, lawmakers also require an audit trail be kept on those authorized to collect, create and maintain private data. The board can revoke an employee's authority if data is willfully shared or disseminated against data privacy policies.

MNsure is not permitted to sell data, private or otherwise, for any purpose, such as direct marketing lists, nor can it collect information about whether a person owns a gun or has one in their home. (Sec. 8)

The new state agency will post its administrative and operational expenses on a website for consumers. Annual budget reports will be due to legislators and a new Legislative Oversight Committee. The committee will consist of five appointed members from both the House and Senate; three majority party and two minority party members. (Sec. 10, 13)

HF5*/SF1/CH9

Construction restrictions remain on radiation facilities

The moratorium on non-hospital radiation therapy facilities, which was set to expire in the Twin Cities metropolitan area in 2014 has been extended through 2020.

In 2003, legislators put restrictions on the construction of new radiation therapy facilities, unless they are owned, operated or controlled in partnership with a hospital. Then, in 2007, a moratorium on new facilities was enacted, which would have expired on

Aug. 1, 2014. The new law extends that moratorium through Dec. 31, 2020.

Rep. Kim Norton (DFL-Rochester) and Sen. Jeff Hayden (DFL-Mpls) sponsor the law. Norton said the law is needed because current facilities are still operating under capacity. Also, there is a growing interest in privately-run facilities owned by oncologists who refer patients to facilities that the oncologist owns, giving them an unfair advantage over hospitals, she said.

Effective Aug. 1, 2013, the new law also lengthens the radius of how close new facilities can be to existing ones, from seven to 15 miles.

HF164*/SF118/CH11

Advanced EMT added as permitted ambulance staff

Minnesota law requires an advanced life-support ambulance to be staffed by at least one emergency medical technician and one paramedic. Effective Aug. 1, 2013, advanced emergency medical technicians will be a new certification level allowed to serve as advanced life support ambulance staff.

Advanced EMTs are allowed to treat patients with epinephrine, nitroglycerin, aspirin, and nebulizer treatments.

Advanced EMTs will be required to complete education requirements, overseen by the Emergency Medical Services Regulatory Board. The law also allows the board to begin receiving inspection files electronically.

Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor the new law, which conforms to national standards and renames the Emergency Medical Technician Intermediate as an AEMT.

HF201/SF166*/CH13

Service animals clarified as dogs

Service animals help people with disabilities navigate through their day-to-day activities. Under current law, it is an unfair discriminatory practice to prohibit these animals from being in a public place.

Sponsored by Rep. Zachary Dorholt (DFL-St. Cloud) and Sen. Bobby Joe Champion (DFL-Mpls), a new law will amend state statute regarding these animals and bring the state in line with the federal Americans with Disabilities Act.

“It helps clarify the definition of service animal as defined by the Americans with

Disabilities Act,” Dorholt said. “Service animals are defined as dogs that do tasks for people with disabilities ... service animals are working animals not pets.”

The law, effective Aug. 1, 2013, also deletes a provision that requires service animals to be properly identified as being trained. This is generally done through papers that should be carried by the animal’s owner.

HF1811/SF1086*/CH14

More training for paramedics required

In addition to existing certification requirements, community paramedics will need to take an additional 12 hours of study in clinical topics in order to renew or earn their certification, effective Aug. 1, 2013.

The ambulance service medical director must approve the clinical topics to be studied.

Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Julie Rosen (R-Fairmont) sponsor the new law. Schoen described the need for the law as an oversight in previous legislation and said it will ensure community paramedics receive continuing education.

HF75*/SF39/CH18

Tribal agency social workers to have licensure eligibility

Social workers who work for a tribal agency, and who were exempt from licensure, may voluntarily apply for a license if they meet the criteria.

Rep. Susan Allen (DFL-Mpls) and Sen. John Hoffman (DFL-Champlin) sponsor the law, which fixes an omission of tribal agencies in previous legislation regarding the licensure of social workers. The law is effective Aug. 1, 2013.

HF1210/SF953*/CH25

Law creates pathway for parents, children to reunite

A new law that takes effect on Aug. 1, 2013, will create a way for some teenagers to reunite with parents whose rights had been terminated.

The Family Reunification Act lays out a legal process that doesn’t currently exist in Minnesota. Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Kathy Sheran (DFL-Mankato), said after years of work, she and others who crafted the law reached consensus on its language, which applies only to

families in narrowly defined circumstances.

The law can be applied only to children who are at least age 15 and have not been adopted, among other conditions. Before families can reunite under the new process, the relevant county attorney and social services agency have to agree that the move is in the child’s best interest. Parents seeking reunification have to show that they’ve fixed the problems that led to their loss of rights and can take care of their children.

HF704/SF422*/CH30

Consensus on revised nursing definitions

Definitions within the existing Nurse Practice Act will be updated.

Rep. Patti Fritz (DFL-Faribault) and Sen. Chris Eaton (DFL-Brooklyn Center) sponsor the technical law, which defines the roles of registered nurses and “unlicensed assistive personnel” in the practice of nursing.

More than 30 meetings were held to arrive at a consensus about the revised definitions, according to Fritz. She said the work was important in order to more effectively utilize every member of a patient’s care team. The law takes effect Aug. 1, 2013.

Definitions in law are given to assignment, delegation, intervention, monitoring, patient, the practice of practical nursing, the practice of professional nursing, supervision, and unlicensed assistive personnel.

The definition of a “nursing assistant” is repealed and replaced in statute as “an unlicensed assistive person,” which is defined as any unlicensed person to whom nursing tasks or activities may be delegated or assigned, as approved by the Board of Nursing.

Also repealed is a former definition for “monitoring” and one for “supervision.”

HF1124/SF1016*/CH31

Home sellers must disclose radon gas testing

Requiring home sellers to disclose radon testing and penalizing unlicensed tattoo artists are two of the major provisions contained in the Department of Health omnibus policy law.

Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. John Marty (DFL-Roseville) sponsor the law.

Radon is the second leading cause of lung cancer. One in three Minnesota

homes pose a risk from radon, said Laine, who said the law will not mandate testing or mitigation. Rather, a Department of Health radon awareness brochure will be given to the 40,000 annual home buyers across the state at the point of sale. If the seller has knowledge of radon in the home, that information must be disclosed to the buyer. The so-called “Radon Awareness Act” also requires the seller to hand over records pertaining to radon testing or mitigation of the residence, if available.

Effective Jan. 1, 2014, this provision of the law includes a few exclusions to the disclosure requirement, such as property transferred due to divorce, foreclosure, death of a family member or when no money is transferred.

Miscellaneous provisions

Several miscellaneous health provisions are also contained in the new law. Effective Aug. 1, 2013, they include:

- making it a gross misdemeanor for tattoo artists who practice their craft without a license. The penalties are intended to deter unsafe practices. Along with other written instructions, tattoo artists must advise the client on the difference between normal skin or tissue irritation and infection;
- requiring student loan forgiveness recipients to provide the Health Department with confirmation, rather than an affidavit, that they meet program requirements;
- requiring nursing homes, home care providers, supervised living facilities, boarding care homes, hospice and outpatient surgical centers to create and maintain a tuberculosis prevention and control program;
- requiring department investigators in a vulnerable adult complaint to interview at least one family member, unless the vulnerable adult is directing his or her own care;
- allowing occupational therapy assistants to deliver certain therapies, such as electrical nerve stimulation and ultrasound, if the assistant has received training in the use of such therapies; and
- permitting the department to conduct criminal background studies on volunteers registered in the Minnesota Responds Medical Reserve Corp.
HF662/SF887*/CH43

Medical Practice Act modified

The Board of Medical Practice licenses medical professionals and oversees complaints filed about physicians. It is governed by the Medical Practice Act, which will be modified under a new law, resulting from a study of the Medical Practice Act in order to ensure continuous improvement. Rep. Susan Allen (DFL-Mpls) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor the law, which takes effect Aug. 1, 2013.

Clarifying changes are the result of a 2012 board review by the Sunset Advisory Commission, which recommended the study.

One change includes adding the National Board of Osteopathic Examiners to a list of exams required for licensure and requires a person taking the College of Osteopathic Medical Licensure Exam to pass all steps within six attempts. The law also clarifies provisions regarding the health professional services program and oversight of the Board of Medical Practice.

HF1115/SF825*/CH44

Laws separated that govern two civil commitment categories

Minnesota’s civil commitment laws regarding people who are mentally ill and dangerous were under the same chapter of law as people who are committed sex offenders. At the urging of the legislative auditor and as instructed by 2011 legislation, the Department of Human Services and the revisor of statutes worked to separate those two categories of civil commitment.

The result is a technical law sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Kathy Sheran (DFL-Mankato) that creates a new chapter in statute pertaining to sex offenders.

The legislation made no substantive changes to the laws themselves; rather, it creates section 253D in statute where laws governing sex offenders are now located.

Additionally, references to a “patient” were changed to a “committed person,” and if a committed person is placed on administrative restrictions, such as isolation, the reason for the restriction must now be documented in the person’s medical record.

HF947*/SF490/CH49

Hospital nursing ratios will require monitoring

Hospitals will be required to file a staffing plan for each patient care unit with the Minnesota Hospital Association, under a new law effective July 1, 2013.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Jeff Hayden (DFL-Mpls) sponsor the law, which will enable a Department of Health working group to study whether nurse staffing levels have any effect on patient health outcomes. The group must submit a report to the chairs and ranking minority members of the health and human services committees in the House of Representatives and the Senate by Jan. 15, 2015.

The law requires the chief nursing executive of each licensed hospital to develop a staffing plan for each care unit. The plan needs to specify how many full-time nurses are needed on the unit during a 24-hour period. Hospitals must submit their plans to the association by Jan. 1, 2014. The association will then post the plans on its Minnesota Hospital Quality Report website by April 1, 2014.

In addition, the hospital association will be required to post the actual direct patient care hours per patient and per unit beginning July 1, 2014, and update it every 30 days. A Department of Health working group must submit a study to legislators comparing nurse staffing levels and patient health outcomes. The department was appropriated \$187,000 in fiscal year 2014 and \$65,000 in fiscal year 2015 from the General Fund to complete the nurse staffing study.

Supporters, including the Minnesota Nurses Association, said it will stop over-scheduling and improve patient care. Opponents said it could lay a foundation for mandatory staffing levels which would take away a hospital’s managerial rights, which the Minnesota Hospital Association, The Long-Term Care Imperative and the Minnesota Business Partnership opposed.

HF588*/SF471/CH51

Drug protocol changes aim to help streamline procedures

A new law will allow licensed dietitians and licensed nutritionists, under a written protocol with a licensed practitioner, to prescribe or administer a legend drug to a patient, under certain conditions.

Rep. Diane Loeffler (DFL-Mpls) and Sen. Chris Eaton (DFL-Brooklyn Center)

sponsor the law, effective Aug. 1, 2013.

Loeffler said dietitians and nutritionists often work with patients to help them manage diseases, such as diabetes, and it was an oversight not to have included them in previous authorizing legislation.

The law adds that a licensed practitioner may establish a prescription protocol with licensed dietitians or licensed nutritionists.

Current licensed practitioners with the authority to administer or prescribe legend drugs include physicians, osteopaths, dentists, optometrists, podiatrists and veterinarians.

HF195*/SF431/CH55

State bans formaldehyde in children's lotions

Formaldehyde will no longer be intentionally used as an ingredient in children's personal care products, such as shampoos and lotions. A new law, effective May 14, 2013, unless otherwise noted, applies to products made for children younger than 8 years old.

Rep. John Persell (DFL-Bemidji) and Sen. Ann Rest (DFL-New Hope) sponsor the law, which targets baby shampoos, bubble bath and other lotions or gels applied to children. Pharmaceutical products and toys are not included in the formaldehyde ban.

Manufacturers and wholesalers who sell children's personal care products in the state must remove or replace the ingredient by Aug. 1, 2014. Retailers have until Aug. 1, 2015, to remove the children's products containing formaldehyde from their store shelves.

The law also regulates the use of other chemicals that manufacturers may want to use as a replacement ingredient. Effective Aug. 1, 2013, manufacturers are prohibited from replacing formaldehyde with a chemical identified by state, federal or international agencies as causing cancer, harming a fetus or child, or damaging the nervous system or organs, and other toxic results.

HF458*/SF357/CH58

Showing respect for people with mental illness

When people who lived in state institutions died, they were buried there and their graves marked with a number. A non-profit group wants to replace the numerical grave markers with the deceased's name, birth date and date of death.

Rep. Zachary Dorholt (DFL-St. Cloud) and Sen. Chris Eaton (DFL-Brooklyn Center) sponsor a new law that will enable the Department of Human Services to share the names of the individuals with Remembering with Dignity, a coalition of disability rights organizations, who are replacing numerical markers with more respectful ones that honor each individual.

Also, insensitive language was repealed in law and replaced with updated terminology, such as substituting the word "retarded" with a "person with developmental disabilities."

Other provisions will:

- repeal an outdated children's mental health service program for preschoolers because there are newer alternatives;
- expand the assessment period for children's therapeutic services and supports from six months to one year;
- allow such an assessment to be completed by a mental health practitioner who is a clinical trainee; and
- clarify that counties are responsible for any charges not covered by other means when counties temporarily hold a person in confinement for observation, evaluation or treatment.

The law takes effect Aug. 1, 2013.

HF969*/SF1297/CH59

Replacing outdated terms in statute

In an effort to update human services terms and to ensure consistency throughout various chapters of law, Rep. Diane Loeffler (DFL-Mpls) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor a law that directs the revisor of statutes to delete outdated language and replace it with current custom and usage.

Examples include changing "a person determined to be mentally deficient" with "a person with a mental illness or a developmental disability." Another phrase will change to become more inclusive: "hearing impaired students" are now "students who are deaf, deafblind, or hard-of-hearing." There are several other revisions, which will be completed as time and money allow.

The law is effective within the limits of available appropriations.

HF760*/SF655/CH62

Continuing care provisions provide further protections

The Olmstead Supreme Court Decision of 1999 interpreted the Americans with Disabilities Act to mean that people with disabilities have a right to receive care in the most integrated setting appropriate for their needs.

To prepare for complying with that decision, Minnesota formed the Olmstead Planning Committee. However, only four task forces within an agency can be compensated under state law, so as the Department of Human Services added task forces it included a caveat in a new law so that task forces mandated by court order are not counted against the limit of task forces whose members may be reimbursed for expenses.

As department policies shift continuing-care out of nursing homes to more integrated settings, nursing homes are consolidating, reducing the number of beds available. That has led to the need for some residents to relocate when a nursing home closes.

Under a new law, when a nursing home resident is relocated, the nursing home is responsible for taking inventory of the person's belongings and working with the resident's family to move the person within the county or to a contiguous county. Previously, the law limited transfer to within 50 miles. The new law prohibits charging the resident for relocation costs.

Rep. Will Morgan (DFL-Burnsville) and Sen. Kent Eken (DFL-Twin Valley) sponsor the law that has various effective dates.

The law also details other responsibilities for ensuring a resident's smooth transition to another facility and coordinating their care with other local, state and federal agencies.

The owner of the closing facility will be required to provide relocating residents with up to three site visits to other facilities, as well as submitting status reports the week following actual relocation. Communication includes submitting reports to the Ombudsman for Long-term Care and Ombudsman for Mental Health and Developmental Disabilities.

A \$450 allowance of state and federal funds toward the closure of each nursing home bed is repealed under the law.

When employed people with disabilities near retirement age, DHS will no longer be required to notify Medical Assistance enrollees prior to their 65th birthday about the rules affecting their income, assets and consideration of their spouse's income upon reaching age 65.

As more residents are moved to, or stay in, home settings, they may be eligible for a personal care assistant to help with their daily care. The law includes a provision so that clients may request a PCA of the same gender and the PCA agency must make a reasonable effort to fulfill that request.

When a person is undergoing a needs assessment to determine waiver or alternative care eligibility, the person's current service provider may submit a written report outlining their recommendations for the client's care. The report must be written by the direct service provider with at least 20 hours of service to the client. A copy must be provided to the client or the person's legal representative.

Additional assessment provisions will eliminate the need to file for an extension and will not require a secondary assessment to be face-to-face by a worker who is determining a person's eligibility for waiver services. If an assessment was completed more than 60 days before the waiver program start date, current law requires a secondary face-to-face interview.

Counties will move to a standardized assessment tool which will allow access by DHS.

The law also requires DHS to request that the federal government allow Medicaid to cover the cost of long-term care consultation services provided by a contractor. And by Feb. 1, 2014, DHS must develop a set of recommendations to increase opportunities for case management provider choices, to define the role of a case manager to avoid duplication of services, to provide caseload guidelines, and to standardize case manager standards, among other duties.

HF767*/SF459/CH63

BPA banned from baby food containers

Beginning Aug. 1, 2013 BPA banned containers of infant formula, baby food or toddler food stored in a container.

Retailers need to remove baby food containers containing bisphenol-A from their store shelves by Aug. 1, 2015, according to a new law aimed at protecting children from toxic chemicals.

Commonly referred to as BPA, bisphenol-A is an organic compound found in the environment but is toxic in higher concentrations. Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Katie Sieben (DFL-Newport) sponsor the law.

Manufacturers and wholesalers will be prohibited from knowingly selling infant formula, baby food or toddler food stored in a container that contains intentionally added BPA, beginning Aug. 1, 2014. Manufacturers will be restricted on the type of replacement chemicals they can use, as well.

A replacement may not be used if it has been identified as being an agent that would harm the normal development of a fetus or child or cause other developmental toxicity; cause cancer, genetic or reproductive damage, disrupt the endocrine or hormone system, or damage the nervous or immune systems, or organs.

HF459*/SF379/CH71

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HF459*/SF379/CH71

Non-emergency medical ride guidelines changed

Inefficiencies in the non-emergency medical transportation program were identified in a 2010 legislative auditor's report. Since 2011, the Department of Human Services and an advisory task force have been working toward changing the program's structure from a dual administrative and delivery system to a single one, which was required by legislation passed last year.

Pending a recommendation from the task force, DHS asked for a one-year extension before implementing a single administrative structure and delivery system for non-emergency medical transportation. A new law will give the parties until July 1, 2014, rather than this summer, to implement changes to the transportation program.

Rep. Diane Loeffler (DFL-Mpls) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor the law.

The law also modifies special transportation requirements so that trips can't exceed 30 miles to a primary care provider or 60 miles to a specialist, unless the patient receives prior authorization. Under prior law, patients were taken to the nearest appropriate provider.

Other provisions in the law will:

- change the need for prior authorization for certain medical treatment to a retrospective review;
- allow DHS to issue appeal determinations electronically rather than by first-class mail; and
- enable DHS to expand prepaid Medical Assistance programs, to include accountable care organizations that provide services to a specified patient population for an agreed-upon total cost of care.

HF820/SF654*/CH81

Physician assistant, advanced practice registered nurse, chiropractor and others allowed to order therapeutic therapies

Physicians are currently the only medical professionals who can authorize occupational therapists to use certain therapies, such as electrical nerve stimulation, ultrasound, hot packs, cold packs and ice.

But waiting for a physician's authorization can delay therapy, according to occupational therapists, so a new law will enable licensed health care professionals acting within their scope of practice to order the treatments.

Effective Aug. 1, 2013, a physician's assistant, advanced practice registered nurse, nurse practitioner, chiropractor, podiatrist, osteopaths and dentists will be allowed to order therapeutic treatments, known as physical agent modalities or "pams."

Rep. JoAnn Ward (DFL-Woodbury) sponsors the law with Sen. Jim Carlson (DFL-Eagan).

HF215*/SF330/CH98

Cultural and Ethnic Communities Leadership Council created

The Department of Human Services will establish an advisory council to advise the commissioner on how to reduce racial and ethnic disparities for accessing services, according to a new law that amends department policies.

Rep. John Benson (DFL-Minnetonka) and Sen. Melisa Franzen (DFL-Edina) sponsor the law, which creates the Cultural and Ethnic Communities Leadership Council. The council, consisting of 15-25 members appointed by the commissioner, will be charged with reviewing DHS policies for racial, ethnic, cultural, linguistic and tribal disparities and providing an annual report regarding equitable delivery of services.

Appointments must include representation from racial and ethnic minorities, tribal service providers, advocacy groups, human services program participants, and members of the faith community, as well as the majority chairs and minority lead of the human services legislative committees. The council sunsets March 15, 2015.

In addition to creating the council, the law, effective Aug. 1, 2013, unless otherwise noted:

- codifies the department's current practices regarding hearings;
- enables hearings to be conducted via interactive video technology;
- requires full-time human services judges to be licensed Minnesota attorneys, effective July 1, 2013;
- allows DHS to issue administrative subpoenas while administering its public assistance compliance system; and
- makes technical changes, such as removing obsolete language.

HF975*/SF872/CH107

Health care services and wages will increase

Although the health and human services finance omnibus law reduces the health care budget by \$50 million over the next two years, it pays for increases in services and to wages for some who recently have seen cuts to programs and paychecks.

Rep. Thomas Huntley (DFL-Duluth) and Sen. Tony Lourey (DFL-Kerrick) sponsor the new legislation.

The spending cut is offset by an estimated \$150 million savings through implementation of the federal Patient Protection and Affordable Care Act and by

reforming the payment method for health maintenance organization and hospital surcharges.

Other health care savings may be attributed to recovering the state costs of inmates who are admitted to the hospital. Currently paid by the Department of Corrections, the costs of those eligible for Medical Assistance can be decreased by a federal match.

The state may also recoup some patient transportation costs now that the Department of Human Services will begin allowing clinics of multiple health care services, such as dentistry or mental health consults in conjunction with a doctor's appointment, to bill Medical Assistance when appointments are on the same day. Currently, a provider can only bill for one or the other service per day, which triggers multiple patient transport on multiple days, which inconveniences the patient and doubles transportation costs.

HF1233*/SF1034/CH108

MinnesotaCare's transition toward basic coverage

The law begins aligning state laws to new federal health care regulations and changes the MinnesotaCare program, a state program for low income residents who don't qualify for Medicaid or Medicare, in order to receive federal funding as a basic health program. Most notably, the \$10,000 annual limit on hospitalization for MinnesotaCare enrollees is repealed.

Federal authority to operate MinnesotaCare is expiring and it will be another year before a basic health care benefit plan could take its place, so the law attempts to bridge that gap by increasing Medical Assistance income limits for children to 275 percent of the federal poverty level, reducing MinnesotaCare income limits, and directing health care access funds to be used to pay for the cost of the MA expansion. (Art. 1)

Children and Families

A public policy debate over infant sleeping positions resulted in changes to child care licensing standards and practices. There are 60,000 day care centers and 90,000 home-based child care providers in the state, which have seen a rise in infant deaths related to unsafe sleep positions. Babies should be placed in a crib on their backs, with nothing but a pacifier, unless the parent provides a doctor's note for an alternative sleep position, under the revised policy.

Written consent from a parent or guardian

will be required before a day care provider may wrap an infant tightly in a blanket simulating a womb environment. Swaddling can result in overheating or hip dysplasia, and infants can suffocate if the blanket covers their face or if they roll over, according to testimony.

Licensed day care providers also have revised training requirements regarding supervision and first aid for infants and children.

Newborns will now be tested for congenital heart defects, along with other current testing requirements, and the screening fees will increase from \$106 to \$145 to cover cost increases.

Providers participating in the Parent Aware accreditation program will be eligible to receive higher reimbursement rates for children receiving assistance through the child care assistance programs if the provider achieves a three- or four-star Parent Aware rating.

During the previous biennium, child care providers for those receiving state assistance saw a reduction in the number of days they could still be reimbursed for when the child is absent. Reduced to 10 days, the number of absent days allowed for reimbursement has been restored to 25 days.

Many DFLers heralded a change in the way cash payments to Minnesota Family Investment Program enrollees are determined. Current cash amounts are based on the number of family members at the time they enroll, but effective Jan. 1, 2015, payments will increase when the family grows, such as the birth of a child or after an adoption.

One in 88 children are diagnosed with autism, and the new law will require large employers (50 or more employees) who purchase insurance through the fully-insured market to include autism spectrum disorder coverage in their policies, including the intensive Applied Behavior Analysis therapy. (Effective Jan. 1, 2014.) The benefit will also be available to a child who is enrolled in Medical Assistance and who has an autism spectrum disorder diagnosis, as well as a state employee insurance program benefit. For SEGIP, the benefit requirement is effective Jan 1, 2016.

The Northstar Care for Children program will be created to equalize reimbursement rates for children requiring foster care, relative custody and adoption assistance. Changes effective Jan. 1, 2015, under the new law, will create a more equitable payment

structure between foster care providers, adoptive parents and relative caregivers in order to encourage more permanent homes for children. A child under guardianship who turns 18 and meets certain criteria will be allowed to remain under guardianship until age 21. (Art. 3, 7, 12, 17)

Care provider pay increases

Nursing home and personal care attendants in home and community-based settings took pay cuts in order to help balance the state budget during the last biennium. Under the new law, nursing homes will receive a 5 percent increase, with the majority earmarked for employee pay raises. Personal care attendants and other various home and community-based services will receive a 1 percent increase effective April 1, 2014, with more available based on the quality of service they provide. A pending 1.67 percent decrease for intermediate care facilities for persons with developmental disabilities and various continuing care providers is repealed by the new law. PCAs will now be referred to as Community First Services and Supports workers, or CFSS.

Medical Assistance reimbursement rates for health care services provided by doctors, dentists, and other health care providers, will also increase 3 to 5 percent. (Art. 6)

Chemical and mental health

Chemical and mental health initiatives include providing triage and hospital discharge specialists to assist people with behavioral or mental illness and avert the need for more frequent and costly hospitalizations. One example may include using teleconferences to consult with an individual to reduce or avoid emergency room visits, psychiatric hospitalizations, and commitments to institutions due to crises episodes.

An innovative grant program that links children's mental health services to schools will expand so that more children can receive services. The number of grants will double so children can get help in a familiar place and where supportive staff can help identify when a need arises.

As children transition to adults, counties that provide mental health services to young adults ages 17-21 will be required to create a transition plan with the individual that includes the person's continued housing, education, employment, treatment and health insurance.

Appropriations, under the new law, also fund continued operation of the Intensive Residential Treatment Service program in Willmar.

The law clarifies the use of patient restraints and encourages a constructive response rather than punitive response to behaviors.

DHS is directed to implement a pilot program that addresses a continuum of care for people with chemical dependency. The pilot projects are intended to improve the effectiveness and efficiency of services while reducing duplication of efforts and promoting scientifically supported practices.

By Jan. 15, 2014, a DHS report is due to legislators containing recommendations by a stakeholder group regarding the civil commitment of persons deemed mentally ill and dangerous. (Art. 4, 7, 8)

Sex trafficking prevention

The Department of Health is directed to hire a director of child sex trafficking prevention. Besides advocacy at the state and federal level to improve funding, the director's role will involve police officer training in new ways to work with these children, shifting from treating the children more as victims than offenders.

Fraud prevention

The Office of Inspector General is a relatively new office within DHS. The new law grants the office more authority to investigate suspected fraud within the child care assistance program and to create penalties for confirmed cases.

Agencies that provide personal care attendants to people on public assistance may have to pay more for a surety bond. The formula will change so that if the provider's Medicaid revenue in the previous calendar year is up to and including \$300,000, the performance bond cost will be

\$50,000. If the Medicaid revenue in the previous year is above \$300,000, the provider agency must purchase a \$100,000 performance bond. The performance bond must be renewed annually.

Under the Home Health Care Bill of Rights, the client may now be entitled to a care attendant of the same gender, which is intended as a prevention tool for sexual abuse and maltreatment. (Art. 5, 11, 12)

Tighter rein on drug manufacturers

The law sets policies and requirements of drug manufacturers within and outside the

state who make and sell drugs to pharmacies and hospitals. The new regulations are the result of a meningitis outbreak last year caused by tainted steroids that sickened or killed people in nine states. (Art. 10)

Reform

Some of the ongoing Reform 2020 health care reform measures fell into a set of contingency proposals under the law. Some will require federal approval before implementation, while others are based on available appropriations.

As the state moves people out of institutional facilities and toward lower cost home- and community-based model for the elderly and disabled, the new law will require a study to determine what the capacity is in local communities for this population. The study, which is due the Legislature by Aug. 15, 2015, will include strategies to increase home and community-based services in regions with critical access needs.

Some older adults could fall into a new classification of services called individual community living support. Case managers or care coordinators will develop individual ICLS plans with the client.

Health and Human Services

Stricter controls over dispensing methadone

Methadone is an addictive drug prescribed to treat heroin and other drug addictions, and is dispensed to people in treatment and for take-home doses. However, some users have obtained more than they need through multiple dispensers and then sell the excess doses, according to Rep. Thomas Huntley (DFL-Duluth) and Sen. Julie Rosen (R-Fairmont), who sponsor a new law aimed at making this practice more difficult. People who purchase the drug illicitly from patients have overdosed and died. There are 14 clinics in the state that dispense methadone, and most do a good job of controlling its prescriptive uses, Huntley said.

New restrictions will include random drug testing and stricter criteria for take-home doses.

The new law is effective Aug. 1, 2013.

When a physician issues a prescription for clients to take at home, it must be a client-specific order. If the physician finds that the clinic did not administer or dispense the drug appropriately, the physician will be

required to file a report with the Department of Human Services, which licenses the clinic.

Clinics will be required to provide educational materials to clients seeking treatment for addiction. Each client enrolled in a treatment program must undergo at least eight random drug tests a year.

Rather than receiving a full month's supply of methadone, patients in an opioid treatment program will be allowed a single take-home dose for each day the clinic is closed and subject to approval by the clinic's medical director, who must consider the patient's compliance with treatment and ability to properly store and ingest the drug at home.

In the case of patients prescribed take-home use of methadone hydrochloride, the dosage is dependent upon their length of time in treatment. For example, during the first 90 days, a patient must ingest all but one dose per week under direct supervision. Every three months, the take-home doses increase until after one year, the patient is allowed a maximum two-week supply of take-home medication. If after two years of continuous treatment a patient is properly managing the take-home supply, they may be prescribed a one-month supply, but they must make a monthly visit to the clinic.

A licensed clinic can make exceptions to the new take-home dosage guidelines but must conform to federal regulations. The clinic will be subject to DHS monitoring. Also, there is a provision under the new law to allow a clinic that is not the patient's primary clinic to dispense a "guest dose" when the person's primary clinic is not open and they are not yet eligible for take-home medication.

HF1117*/SF1077/CH113

Optometry definitions to match current practice

A new law updates the types of services defined in law that optometrists may provide, enabling third-party reimbursement.

Optometrists are receiving payment rejections for some services they provide because current law does not include certain treatments under the definition of optometry. A new law updates the types of services defined in law that optometrists may provide, enabling third-party reimbursement.

Sponsored by Rep. Will Morgan (DFL-Burnsville) and Sen. Melissa Wiklund (DFL-Bloomington), the law is effective May 25, 2013.

Some of the updated services would include the use of autorefractors or other automated testing devices and prescribing ocular exercises or rehabilitative vision care.

HF607*/SF508/CH129

Higher Education

After state cuts, higher education gets new money in 2013

After a long erosion of state funding for higher education, the 2013 Legislature and Gov. Mark Dayton approved a budget that sends new money to the state's public colleges and universities.

The state will spend \$2.8 billion on higher education over the next two fiscal years, an increase of \$250 million. The capstone of the plan is a two-year tuition freeze for resident undergraduates at the University of Minnesota and for all undergraduates at the Minnesota State Colleges and Universities system.

Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Terri Bonoff (DFL-Minnetonka) sponsor the legislation that allocates state money for higher education in fiscal years 2014 and 2015.

Dayton line-item vetoed one small piece of the bill: \$1.5 million for Teach for America. If the Legislature wants to support such programs, the state should establish a formal grant program and allow all qualifying programs to apply for funding, he said.

Unless otherwise noted in statute, the new law takes effect on July 1, 2013. The following are among its key provisions:

University of Minnesota

The state will spend \$1.2 billion on the university over the next two fiscal years. That figure includes \$42.6 million in new money for a two-year tuition freeze for resident undergraduates, and \$35.7 million for the university's MnDRIVE research initiative.

The state will release 5 percent of its fiscal year 2015 appropriation when the university shows that it has met at least three of five performance goals. One goal, for example, calls for an increase of 1 percent in the graduation rate, averaged over three years, of low-income undergraduates at the Twin Cities campus.

The university will be subject to more detailed reporting requirements when it asks the Legislature for funding. It must also give reports to the Legislature on its STEM

programs, the capacity of its medical school, and its administrative costs. (Art. 1, Secs. 1-2, 5; Art. 2, Secs. 3, 19, 27)

Minnesota State Colleges and Universities System

MnSCU will get \$1.2 billion in state funding in the next biennium. The budget includes \$78 million in new money to pay for a two-year tuition freeze for undergraduates in degree-granting programs. It also includes an additional \$17 million to retain faculty and staff, and \$7 million for new instructional equipment.

The state will release 5 percent of its fiscal year 2015 MnSCU appropriation when the system shows that it has met at least three of five performance goals. One goal, for example, calls for an increase of 4 percent in the number of graduates in 2013 as compared to 2010.

MnSCU will have more detailed legislative reporting requirements. It will also convene a summit to come up with a plan to increase the number of mental health professionals in the workforce. Legislators expect a report on the plan by Jan. 15, 2015. (Art. 1, Secs. 1-2, 4; Art. 2, Secs. 3, 28)

State Grant Program

The state will funnel an additional \$75 million over two years into the state grant program, which offsets tuition for low- and middle-income students. However, lawmakers also expect to see about \$29 million in savings as a result of the MnSCU freeze and an increase in federal Pell Grant funding.

Some of the new spending on the grant program is targeted to help part-time students at MnSCU. The new law also increases the annual state grant tuition cap to \$13,000 from \$10,488 for students in four-year programs. The annual living and miscellaneous expense allowance will increase to \$7,900 from \$7,000. (Art. 1, Secs. 1-3; Art. 2, Secs. 1-4)

Prosperity Act

The new law extends resident tuition rates at the state's public colleges and universities and access to state grants to some young immigrants who lack lawful status.

To qualify for in-state tuition and state grants, those students must have attended high school in Minnesota for at least three years and graduated. If a process exists for them to do so, they must document with

their college that they've applied to gain legal immigration status. They must also show that they've complied with selective service registration requirements. (Art. 4, Secs. 1-3) HF1692/SF1236*/CH99

Housing

Protecting tenants from eviction

When a landlord knows that a property's contract for deed is being cancelled or that the mortgage is entering foreclosure, the landlord is required to notify the tenants. However there is no penalty for not doing so. A new law will add a \$500 civil penalty for landlords who violate the notification requirement.

Additionally, a tenant is no longer required to put a month's rent in escrow if a hearing is scheduled for violations in a residential building and no rent is currently due.

The new law repeals a Dec. 31, 2014, sunset clause regarding eviction proceedings and it extends the time limit to file an appeal from 10 to 15 days.

Rep. Susan Allen (DFL-Mpls) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor the law, which is effective Aug. 1, 2013. HF829*/SF967/CH100

Help for those facing foreclosures

Several homeowners told lawmakers how their mortgage lenders began to foreclose on their homes while processing a loan modification request at the same time. Under a new law, that practice of "dual tracking" will be prohibited beginning Oct. 31, 2013.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Patricia Torres Ray (DFL-Mpls) sponsor the law, which is effective Aug. 1, 2013.

The law applies to owner-occupied residential property with no more than four family dwellings. It gives homeowners an opportunity for a loan modification if they are eligible and prohibits foreclosure while they are going through the modification process. If after 14 days of a modified loan being offered, the homeowner has not accepted the offer, and when any appeals have expired, the foreclosure may commence.

HF1377/SF1276*/CH115

Local Government

Local pension plan employees and officers will be required to report misconduct

A new law will require local pension plan employees and officers to report misconduct or unlawful use of public funds to law enforcement and the state auditor.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Alice Johnson (DFL-Spring Lake Park), the law will give local pension plan employees and officers the same duties currently required of local government employees.

The law is effective Aug. 1, 2013. HF441/SF324*/CH35

Process for choosing solid waste collectors to change

A new law will change the way cities and towns provide for organized collection of solid waste.

In cities or towns that want to establish organized solid waste collection and that have more than one licensed hauler, the new law eliminates the 180-day process for adopting organized collection, and replaces it with a 60-day negotiation period between a city and its licensed collectors.

If the city does not meet an agreement with haulers during the 60 days, city officials will have to establish a committee to evaluate options and hold a public hearing before implementing organized collection.

Rep. Linda Slocum (DFL-Richfield), who sponsors the law with Sen. John Marty (DFL-Roseville), said that the law, effective May 8, 2013, is meant to streamline the process and make it less divisive.

Other provisions in the bill will place a time limit on the initial contract executed under the 60-day negotiation period of three to seven years.

HF128/SF510*/CH45

Met Council redistricting plan takes effect

The Metropolitan Council has new district boundaries.

A redistricting plan that redraws the Met Council's 16 districts took effect May 17, 2013.

Legislators considered several plans before settling on MC2013-1A, the map endorsed by the Met Council. The redrawn districts

affect the boundaries of the districts for the Metropolitan Airports Commission, the Parks and Open Space Commission, and the Transportation Advisory Board.

To ensure that each district represents roughly the same number of people, the Legislature must redraw the council's district boundaries every 10 years, after each federal census.

The Met Council, which was created to coordinate orderly growth of the seven-county metro area, provides regional services related to public transportation, wastewater treatment and affordable housing.

Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Melissa Wiklund (DFL-Bloomington) sponsored the law. HF1684/ SF1564*/CH66

Design-build contracting process amended by new law

A new law modifies Hennepin County's design-build authority to match the Minnesota Department of Transportation design-build procedures.

Effective Aug. 1, 2013, the law provides that the selection of design-build contracts be based on the price divided by a technical score, adjusted for a time factor value, if any (expressed as a value per day).

The award will go to the design-builder with the lowest adjusted score, and the county may reject all proposals. It may reissue a request for proposals if it rejects all the bids or does not execute a contract.

The county is also required to award a stipulated fee to each responsible proposer whose proposal is not successful. This fee cannot be less than two-tenths of 1 percent of the county's estimated costs of the project and allows it to use the ideas and information contained in the proposal.

The law, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Chris Eaton (DFL-Brooklyn Center), also reduces the number of firms that will be on the list of qualified design-builders from a minimum of three to two.

HF1510*/SF1351/CH97

Audit changes for relief associations

The threshold asset amount that requires a salaried firefighters relief association, police relief association or volunteer firefighters relief association to perform an annual audit will increase from \$200,000 to \$500,000.

Effective Aug. 1, 2013, the law is sponsored

by Rep. Shannon Savick (DFL-Wells) and Sen. Dan Sparks (DFL-Austin).
HF853*/SF746/CH123

Disaster assistance match made available

Five southwestern Minnesota counties were declared a major disaster area after a mid-April ice storm inflicted about \$26 million in damage.

However, to receive the federal assistance tagged to the declaration, a local match was necessary. A new law appropriates \$1.75 million from the General Fund for that purpose.

Rep. Joe Schomacker (R-Luverne), who sponsors the law with Sen. Bill Weber (R-Luverne), said that thousands of trees and power poles were destroyed leaving mounds of debris in Rock, Nobles, Murray, Cottonwood and Jackson counties. The damage to public infrastructure totaled about \$6 million.

The law makes the appropriation to the commissioner of public safety in fiscal year 2014, but the funds became available May 25, 2013. The money remains available for use until June 30, 2016.

HF1832/SF1656*/CH141

Military & Vet. Affairs

American Indian veterans to get a memorial on Capitol grounds

A plaque honoring Minnesota's American Indian veterans will be placed among other veteran plaques in the Court of Honor on the Capitol grounds.

In addition to honoring veterans, the plaque will promote a better understanding of American Indians' involvement in peacetime and wartime service.

The Minnesota Indian Affairs Council will absorb the memorial expenses.

The new law, sponsored by Rep. John Persell (DFL-Bemidji) and Sen. Rod Skoe (DFL-Clearbrook), is effective April 25, 2013.

HF143*/SF87/CH22

Military codes will change to align with federal standards

A new law will align Minnesota's Code of Military Justice to the federal code.

The code is the legal system Minnesota

National Guard members abide by while serving in state active military service.

The law, sponsored by Rep. Jerry Newton (DFL-Coon Rapids) and Sen. Kevin Dahle (DFL-Northfield), will describe the process for administrative punishment by a commanding officer for minor offenses and will clarify various other sections of law.

Supporters said the change is important because service members have become accustomed to using the federal code on federal deployments.

The law is effective Aug. 1, 2013.

HF1138*/SF971/CH78

Public Safety

The county where a victim resides will become an eligible venue for cases when a vulnerable adult is financially exploited.

The county where a victim resides will become an eligible venue for cases when a vulnerable adult is financially exploited.

Currently, the criminal case must be tried in the county the offense was committed.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Barb Goodwin (DFL-Columbia Heights), said the vulnerable adult is sometimes moved to another county and the law will ensure that prosecution can still occur.

The law takes effect Aug. 1, 2013.

The law will also allow such offenses to be aggregated over a six-month period.

Supporters said the aggregation is needed to demonstrate the extent of the crime because financial exploitation generally occurs over time, such as misuse of a vulnerable adult's financial transaction card.

The Vulnerable Adults Justice Project brought forth the plan as a way for investigators and prosecutors to have the proper tools to address such offense.

HF90*/SF187/CH5

New law to toughen penalties for fake 911 calls

The list of acts that constitutes criminal conduct related to emergency telephone calls will expand.

Sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Susan Kent (DFL-Woodbury), the new law will make it a misdemeanor if someone "makes or

initiates an emergency call, knowing that no emergency exists, and with the intent to disrupt, interfere with, or reduce the provision of emergency services or the emergency call center's resources, remains silent or makes abusive or harassing statements to the call recipient." Doing this a second time would result in a gross misdemeanor. Three or more infractions would be felonies.

It would also be a gross misdemeanor to report a fictitious emergency to prompt an emergency response. If someone suffers great bodily harm or is killed as a result of the response, the charge would be a felony.

The law takes effect Aug. 1, 2013.

HF1043/SF1168*/CH20

Integration of new emergency technology gets go-ahead

A new law, effective Aug. 1, 2013, will allow the Statewide Radio Board to begin integrating some of the latest emergency communication technologies for 911 calls, wireless broadband and ARMER, a public safety radio system into the state's emergency communication system.

Sponsored by Rep. Erik Simonson (DFL-Duluth) and Sen. Vicki Jensen (DFL-Owatonna), the law will also allow the Statewide Radio Board to elect whether to become the Statewide Emergency Communication Board.

The board, established by the Legislature in 2004, takes input from seven regional radio committees that use 911 and public radio systems, including the Minnesota Sheriff's Association, police and fire chiefs and ambulance commissioners, according to Jackie Mines, director of the Division of Emergency Communication Networks at the Department of Public Safety.

She told a House committee earlier in session that the board has had success creating standards for the use of the emergency systems, but more work is needed.

The law also requires the board to study long-term funding strategies for statewide public safety communications and report back to the Legislature by Jan. 15, 2014.

HF669*/SF803/CH32

Crime victim rights changed, stalking language clarified

Identifying information regarding a victim or other person who seeks notification of a defendant's release from custody is one part of a new law.

Rep. Paul Rosenthal (DFL-Edina) and Sen. Vicki Jensen (DFL-Owatonna) sponsor the law that amends various crime victim provisions, including the establishment of a working group to study victim restitution and clarify language on stalking.

Data collected for purposes of notifying crime victims of an offender's release from custody and other changes in custody status will be made private, under the law.

In addition to replacing the outdated term "harassment" with "stalking" in specific parts of statute, the law will add stalking to the definition of a violent crime under statute that prohibits an employer from retaliating against an employee who takes reasonable time off from work to attend criminal proceedings regarding the crime.

A restitution working group is to be convened by the Department of Public Safety to review how restitution is requested, ordered and collected in the state. A report is due the Legislature by Jan. 15, 2015. Among issues supporters would like to see addressed are the inconsistency among counties and judicial districts when a perpetrator fails to pay restitution, and the occasional confusion regarding which agencies should be involved in the process meaning there can be a lack of communication with the victim.

The law takes effect Aug. 1, 2013.

HF1051/SF769*/CH34

Governor signs Guardian Ad Litem Board changes

The State Guardian Ad Litem Board was transitioned in 2010 from the state court system to an independent board.

A new law will make a few technical tweaks. It takes effect Aug. 1, 2013.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ron Latz (DFL-St. Louis Park), the new law will, among other things, change the way the board chair is selected.

When originally drafted, the legislation called for four board members to be appointed by the governor and three by the Supreme Court. The chair is then appointed by the Supreme Court among the governor's appointees. The law will allow for board members to select a chair from all members, similar to how the Board of Public Defense selects its chair.

A guardian ad litem advocates for a child whose welfare is a matter of concern for a juvenile or family court.

Other changes include; clarifying that

certain fees paid are for guardian ad litem purposes; and strikes statutory language referencing items decided at the board or program level.

HF440/SF834*/CH37

Domestic abuse changes signed into law

Four largely technical changes to domestic violence statutes have been signed into law.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Vicki Jensen (DFL-Owatonna), the new law will, in part, strike the word "knowingly" from provisions regarding enhanced penalties for violations of orders for protection, harassment restraining orders and domestic abuse no contact orders.

A criminal charge enhancement can now only occur if the defendant both knows of the order and knowingly violates it. All penalty levels will have the same knowledge requirements with this change.

The law takes effect Aug. 1, 2013.

Brought forth by the Minnesota County Attorney's Association and the Minnesota Coalition for Battered Women, the law will also:

- add location where a call or electronic communication is made or received as a venue for prosecution of a violation for an order for protection or domestic no contact order;
 - clarify that violations of protective orders qualify as conduct that can be used as evidence when prosecuting domestic assault cases; and
 - strike the requirement that a misdemeanor domestic assault can only be enhanced to a gross misdemeanor if a previous qualified domestic violence-related offense was "against a family or household member."
- HF1400*/SF1423/CH47

Victim protection program expands to family members

The Safe at Home address confidentiality program is in place to help survivors of domestic violence, sexual assault, stalking or others who fear for their safety to maintain a confidential address.

A new law, sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Barb Goodwin (DFL-Columbia Heights), will expand protection to family members living in the same household of the participant, if they fear for the safety of themselves and children.

Established in 2007, and administered through the Office of the Secretary of State, the program has expanded to allow participation by court prosecutors.

Under the program, participants use a post office box address, and mail is then forwarded through the Safe at Home program to the participant's physical address. The law will add greater assurance for anonymity. The identity and location data of a program participant is classified as private data; sharing or dissemination of that information would be prohibited (with some exceptions) without the participant's written consent. It will also clarify that program eligibility ends if the participant moves from the state.

The law takes effect July 1, 2013.

HF580*/SF509/CH76

Losing cash for prostitution offense

A person engaging in a prostitution or sex trafficking offense will lose more than just their vehicle.

Law enforcement can now take a motor vehicle used in a prostitution crime, including solicitation or taking a prostitute back to a motor vehicle to perform a sexual act.

A new law, sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Barb Goodwin (DFL-Columbia Heights), will allow law enforcement to also confiscate the perpetrator's cash. It takes effect Aug. 1, 2013.

Under the law, forfeited funds would be distributed as follows:

- 40 percent to the local law enforcement agency;
 - 40 percent to the Department of Public Safety to be distributed in the safe harbor for youth account for distribution to crime victim services organizations that provide services to sexually exploited youth; and
 - 20 percent to the prosecuting authority.
- HF411/SF346*/CH80

Public safety/judiciary law includes more than \$100 million in new funding

Corrections Department personnel to see pay raise of 2 percent per year — approximately \$30 million of the new funding.

More than \$100 million in new funding will be directed to the state's judiciary and public safety areas.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis

Park), the \$2.09 billion law — nearly \$1.94 billion from the General Fund — is nearly \$103 million over base. More than \$52 million in new money is for the judiciary and \$50.5 million is for public safety purposes.

The law takes effect July 1, 2013, unless otherwise noted.

HF724/SF671*/CH86

Judiciary

For Supreme Court, Court of Appeals and District Court judges, the law contains a 4 percent salary increase in fiscal year 2014 and 3 percent in fiscal year 2015; however, 1 percent the first year will be for their share of increased pension costs. (Art. 1, Secs. 3-5, 7; Art. 3, Sec. 12)

An additional \$875,000 per year will go toward specialty courts; an amount that supporters believe will enable all current courts to be retained and will allow for two additional courts to be expanded. Specialty courts include veteran's court, drug courts, DWI court and domestic abuse court. Often referred to as problem-solving courts, they are designed to help individuals turn their lives around and reduce future costs to the criminal justice system. (Art. 1, Sec. 5)

The tax courts will receive \$161,000 each year for two new law clerks, legal education and Westlaw costs. The latter is an online legal research service for legal and law related materials and services. (Art. 1, Sec. 7)

There are 19 judges on the state Court of Appeals; however, not all reside within an hour's drive of their permanent chambers in St. Paul. Included in the law is a provision that will provide for reimbursement of housing and mileage expenses for judges whose permanent place of residence is more than 50 miles from chambers. This section takes effect July 1, 2014, and will sunset June 30, 2019. (Art. 3, Sec. 9)

A \$2 court technology fee increase on a limited number of court filings is in the final product. It will go into a special revenue fund for technology grants, including e-discovery and e-filing across the state. Applicants may include the state courts and their justice partners. This is expected to generate \$1.6 million in the biennium. The increase is capped at five years. (Art. 3, Sec. 6)

Other funding in the law includes:

- \$2.5 million for Civil Legal Services to help with caseload reductions;
- \$300,000 for the Board of Judicial Standards is for deficiencies occurring in fiscal year 2013, and \$125,000 each year is for "special investigative and hearing costs

for major disciplinary actions undertaken by the board;" and

- \$133,000 to the Uniform Laws Commission for a base increase and paying some outstanding dues. (Art. 1, Secs. 3, 8-9)

Corrections

Salary adjustments for Corrections Department personnel of 2 percent per year, something agreed to between Gov. Mark Dayton and the department, will comprise approximately \$30 million of new funding. This will avoid any layoffs and ensure that the institutions are safe.

Also in the law is an additional \$2.6 million for additional sex offender or chemical dependency treatment. The money is from a transfer from the department's MINNCOR program, where inmates produce goods and services used by the department or sold. A report on the spending, including amounts spent in each area, will be due the Legislature.

Paymar noted that 95 percent of incarcerated sex offenders would eventually be released; however, only about 30 percent of them get any treatment while incarcerated.

Because of the federal Affordable Care Act, Paymar said there are some "significant savings" in health care due to Medical Assistance costs that will be covered by the federal government. Those savings to the state will primarily be used to fund additional officers in community corrections as well as county probation officers.

In each fiscal year, \$350,000 of the savings will also be used to fund the Safe Harbor Project, which will enable Ramsey County to develop a statewide model protocol for law enforcement, prosecutors and others on identifying and intervening with sexually exploited and trafficked youth. The county currently has such a program.

Conditional release may be granted to a nonviolent controlled substance offender if the offender, in part, committed the crime as a result of a controlled substance addiction, has served the lesser of at least 36 months or half their term of imprisonment and completed substance abuse treatment while incarcerated.

A presumptive mandatory three-year minimum sentence for certain repeat sex offenders is created by the law. A person convicted of first- through fourth-degree criminal sexual conduct or criminal sexual predatory conduct within 15 years of a prior sex offense conviction will receive the three-year sentence unless a longer mandatory minimum sentence applies. A stay of

execution of the sentence may be imposed if the court finds the offender amenable to inpatient sex offender treatment and imposes local jail time and a requirement of completing inpatient treatment as conditions of the offender's probation. (Art. 1, Secs. 12, 16; Art. 3, Secs. 3, 10, 13)

Public Safety

Within the \$319 million for the Department of Public Safety budget is \$860,000 in new money to restart the Minnesota School Safety Center, a law enforcement-centered program that helps provide technical assistance and planning for schools to assess threats, hazards and vulnerabilities and conduct exercises. The center previously existed thanks to a federal grant, but when that money ran out the state opted not to fund the center. Reports will be due the Legislature on the program's effectiveness by Jan. 15, 2014, and one year later.

To fund a replacement of the state's antiquated criminal history and crime reporting systems, the law will provide about \$8.4 million in new money. The law also appropriates \$699,000 for Livescan fingerprinting machine maintenance.

The law provides \$800,000 to hire two additional drug chemists and two additional toxicologists at the Bureau of Criminal Apprehension's forensic laboratory to help with the backlog of evidence testing, and \$500,000 to replace some outdated equipment.

An additional \$3 million will be appropriated for crime victim assistance grants that go to programs such as battered women's shelters or sexual assault services; \$2 million in additional funding will be used for youth intervention programs; and \$200,000 will go toward a community offender re-entry program in and around Duluth. The law also provides \$100,000 each for a juvenile detention alternative initiative and to train community safety personnel about the use of de-escalation strategies for handling returning veterans in crisis.

Funding is included for the Department of Human Rights to add two full-time equivalent positions to its compliance staff at a biennial cost of \$258,000. The fee for the department to certify a business will double from \$75 to \$150; however, the certification process will take place every four years instead of two to make the change revenue neutral. (Art. 1, Sec. 12; Art. 3, Sec. 7)

Firearms background checks, civil commitment and felony records

A new policy piece in the law relates to data collection of civil commitment records.

Since 1994, all records of people who have been civilly committed and found to be either mentally ill or dangerous did not make it to the National Instant Criminal Background Check.

The law funds the project with \$1.05 million to ensure that information on everyone who has been found to be civilly committed makes it to the database so that accurate data is there when people run background checks for the purposes of getting a gun. If a person's rights have been restored, that information will also be transmitted to the federal system.

It is estimated that approximately 67,000 cases will need to be reviewed, scanned and entered into the NICS database system. A July 1, 2014, deadline has been established for courts and criminal justice agencies to enter data on civil commitments from Jan. 1, 1994, to Sept. 28, 2010, and felony convictions from 2008 to 2012 if those records have not already been submitted to the appropriate searchable databases.

The law also requires timely reporting of the gross misdemeanor disqualifying offenses to the background check system. Currently, under Minnesota law there are some gross misdemeanor offenses that make folks ineligible to possess a firearm. (Art. 4)

Guardians and conservators

Expanded background checks for guardian ad litem and conservators are also part of the law. The goal is to protect clients from potential unscrupulous activity.

The law, in part, increases the frequency of background checks from five years to two and expands the reporting requirements for guardians and conservators relating to their criminal, civil and financial histories.

For example, the law expands information required in a guardianship petition to include: if someone has been previously removed from serving as a guardian or conservator; negative action related to a professional license; civil actions against them, including fraud, misrepresentation, harassment restraining orders and orders for protection; bankruptcy filings; civil monetary judgments against the petitioner; and other criminal convictions. The law also provides the courts with increased access to licensing information on proposed and current guardians and conservators.

The fee for the background study is \$50 for someone who has lived in Minnesota for the past 10 years; \$100 for someone who has not. (Art. 2)

Concurrently vs. consecutively clarification sought

People sent to prison serve two-thirds of their sentence behind bars and one-third on supervised release. Certain predatory offenders receive an additional time of community supervision, called conditional release.

When conditional release language for sex offenders was initially passed by the Legislature, the intent was for supervised release periods and conditional release periods to run concurrently.

Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Barb Goodwin (DFL-Columbia Heights) sponsor a new law that aims to clear up any confusion on the timing of conditional and supervised release terms for sex offenders stemming from a 2010 court ruling.

Johnson said community corrections officials brought forth the legislation after the court ruling that interpreted current law in a manner that created a loophole for certain sex offenders who violate conditions of release. The loophole resulted in some serious sex offenders receiving minimal consequences for their violations.

The court indicated that current law states that the two release periods are to be served consecutively, which is inconsistent with past practice, Johnson said.

Supporters said by specifying that an offender's conditional release term begins when the offender is released from prison, the law will empower the commissioner of corrections to detain the offender for up to the full conditional release period if he violates his terms of release.

HF790*/SF668/CH96

Helping intoxicated underage drinkers do the right thing

Underage drinkers looking out for their health or that of a friend will be able to avoid a minor consumption ticket.

Sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Barb Goodwin (DFL-Columbia Heights), a new law provides that a person under age 21 who consumes or possesses an alcoholic beverage will not be subject to prosecution "if the person

contacts a 911 operator to report that the person or another person is in need of medical assistance for an immediate health or safety concern, provided that the person who initiates contact is the first person to make a report, provides a name and contact information, remains on the scene until assistance arrives and cooperates with the authorities at the scene."

The person receiving medical attention will also not be charged with underage drinking; nor will one or two persons acting in concert with the caller provided they provide contact information and cooperate at the scene.

The law takes effect Aug. 1, 2013.

"This (law) tells young people that when they or a friend get into trouble, that we care more about their life and their health than we do about any punishment they might incur because of that drinking," Liebling said.

The law does not protect underage drinkers from other alcohol-related charges, such as drunken driving.

HF946*/SF744/CH112

Public transit operators to get added protection

A stronger tool is on the way to help law enforcement officials better protect operators of some public buses and light rail lines.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Chuck Wiger (DFL-Maplewood), a new law will add Metro Transit and other public transit operators to the list of protected occupations and individuals under the fourth-degree assault statute.

Effective Aug. 1, 2013, it will be a gross misdemeanor to either assault a transit operator or intentionally throw or transfer bodily fluids onto them if the transit operator is operating, aboard or otherwise responsible for a transit vehicle.

Supporters told a House committee about bus drivers being spit on by unruly passengers or having things thrown at them. Concern was also expressed about a driver losing control of a multi-ton bus during an assault and potentially injuring passengers and anyone driving or walking near the bus.

Metro Transit Police Chief John Harrington said there were 129 assaults on Metro Transit drivers in 2012 and 43 arrests were made.

HF590*/SF1068/CH133

Harsher wildfire arson penalties enacted

An April 2009 fire set by a Forest Lake firefighter burned 2,637 acres in and around the Carlos Avery Wildlife Management Area, threatening nearly 150 homes on that dry and windy day.

More than 120 apparatus from 31 departments were needed to extinguish the blaze. In excess of 250 people fought the fire.

Because no building was damaged, the culprit could only be sentenced to probation.

Sponsored by Rep. Brian Johnson (R-Cambridge) and Sen. Sean Nienow (R-Cambridge), a new law, effective Aug. 1, 2013, will increase the felony penalties for wildfire arson based on certain damages:

- if a fire threatens to damage or damages in excess of five buildings or dwellings, burns 500 or more acres or results in at least \$100,000 in crop damage the arsonist could receive up to 10 years imprisonment and/or a \$15,000 fine;
- when the numbers are increased to 100 buildings or dwellings, 1,500-plus acres and \$250,000 in crop damage, the maximum penalty will be 20 years imprisonment and/or a \$25,000 fine; and
- if the fire causes another person to suffer demonstrable bodily harm, the maximum penalty will be 10 years imprisonment and/or a \$15,000 fine.

HF228*/SF614/CH139

State Government

Ensuring safe storage, while providing for public access, has been a concern to the gatekeepers of the state's most important documents.

The Legislature produces volumes of documents every year, leaving a long paper trail for researchers, historians and anyone else seeking to understand the state's laws. Ensuring safe storage, while providing for public access, has been a concern to the gatekeepers of the state's most important documents.

For Minnesota, that job falls with the Office of the Revisor of Statutes. But in this digital age, there is another challenge: How does a reader know that a government document posted on the web is authentic, and, in turn, how does the revisor assure the authentication?

A new law will provide a process for authentication of official electronic legal

materials published by the revisor, including the state constitution, state session laws, codified laws and agency regulations. The law, effective Jan. 1, 2015, is sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Ron Latz (DFL-St. Louis Park).

Known as the Uniform Electronic Material Act, the new process:

- requires publishers of official electronic materials to authenticate the record, designate it as official, preserve and secure the record, and ensure that it is available for public use;
- allows an official publisher to also publish materials in a non-electronic format and the publisher may still designate the electronic record as official if the publisher complies with the other provisions of the law;
- requires the publisher to preserve and secure the record either in an electronic or alternative format; and
- if it is preserved in an electronic format then the publisher must ensure the integrity of the record, provide for backup and disaster recovery of the record, and ensure that the material can be used.

HF278*/SF157/CH7

Water supply advisory group to keep working

The Metropolitan Area Water Supply Advisory Committee will continue its mission until December 2016.

Sponsored by Rep. Peter Fischer (DFL-Maplewood) and Sen. Bev Scalze (DFL-Little Canada), the advisory committee was to have ended in December 2012. But with growing water supply concerns impacting the state, supporters said that an advisory committee advising water supply planning is important.

The new law is effective retroactive to Dec. 31, 2012.

HF834*/SF515/CH19

April designated as Genocide Awareness and Prevention Month

A new law will require the state to make more efforts to educate and spread awareness about genocide.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Senate President Sandy Pappas (DFL-St. Paul), the law declares April as Genocide Awareness and Prevention Month and requires prevention measures

through education. The law is effective April 30, 2013.

Supporters said that April has been a very decisive month concerning genocide. It is the month that the anti-Jewish laws were implemented in Germany, the Cambodian Genocide began and an arrest warrant was issued for Sudanese President Omar al-Bashir after six years of genocide in Darfur.

HF414/SF359*/CH26

State Council on Disability to reduce membership

A new law, effective Aug. 1, 2013, will reduce the number of members on the Minnesota State Council on Disability after a request from its executive director.

Established in 1973, the council advises the governor, state agencies, Legislature and public on disability issues, according to its website.

Sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Melissa Wiklund (DFL-Bloomington), the law will reduce the council from 21 to 17 members.

HF543/SF442*/CH29

New law seeks more open bidding process

Local governments will be able to advertise bids for public improvement projects in a recognized industry trade journal instead of the official newspaper, if the project is over \$100,000, when a new law takes effect Aug. 1, 2013.

The law defines trade journals as printed or digital publications or websites that contain building or construction news of interest to contractors, or that publish projects for bidding and review by contractors, and others, in their regular course of business.

Supporters believe the new law, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Bev Scalze (DFL-Little Canada), will save local governments money by allowing them to advertise bids on websites free of charge, rather than buying space in a newspaper.

HF1196/SF843*/CH46

Adult learner program to be represented on governor's council

A representative from Adult Basic Education will be added to the Governor's Workforce Development Council when a new law takes effect Aug. 1, 2013.

The GWCD works to strengthen the state's workforce. Its mission is to analyze and recommend development policies to lawmakers that ensure a globally competitive workforce for Minnesota.

Sponsored by Rep. Tony Albright (R-Prior Lake) and Sen. Founq Hawj (DFL-St. Paul), the new law will give ABE a seat on the 31-member council for the first time.

ABE is administered through the Department of Education and provides instruction to adult learners in areas such as GED and English as a Second Language instruction. It is available statewide at no cost.

HF758/SF380*/CH48

New law mandates same price for fuel stored in same tank

Fuel being stored in the same tank will need to be sold at the same price.

The new law, sponsored by Rep. Andrew Falk (DFL-Murdock) and Sen. Vicki Jensen (DFL-Owatonna), makes mostly technical changes to bring Minnesota into conformity with federal standards. It takes effect Aug. 1, 2013.

It also mandates that when fuel is delivered, the delivery ticket must state the percentage of biofuel blended into gasoline, or the percentage of biodiesel blended in the case of diesel fuel.

HF634*/SF1073/CH68

Affirmative action plans will see quicker approval

The length of time it takes for the commissioner of human rights to approve a business' affirmative action plan for the employment of minorities, women and the disabled will decrease.

A new law, sponsored by Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Founq Hawj (DFL-St. Paul), will require the commissioner to issue certificates of compliance or a notice of denial within 15 days of receiving an application rather than 30 days. If denied, the commissioner will be required to state why and send a compliance or denial 15 days after the revision.

The certificate will also be valid for four years instead of two.

State agencies cannot now accept bids or proposals from businesses without a plan approved by the commissioner. The law only applies to contracts in excess of \$100,000 and businesses with more than 40 full-time employees.

The law is effective Aug. 1, 2013.
HF1182/SF1307*/CH72

Enhanced protection afforded state employee 'whistleblowers'

New criteria has been added to the state's "whistleblower" law creating an expectation that classified state employees who share information and provide assistance to legislators in a manner consistent with their duties can do so without fear of retaliation or disciplinary action.

Rep. Diane Loeffler (DFL-Mpls) and Sen. Barb Goodwin (DFL-Columbia Heights) sponsor the law, which is effective May 25, 2013.

Loeffler said this classification of employees should be able to communicate information to members of the Legislature, the legislative auditor or a constitutional officer about state services, such as financial information that they believe to be true and accurate. For example, if a legislator is seeking financial information in order to determine efficiencies or cost-savings in government spending, the employee should not fear retaliation from a supervisor if that information is used to support legislative action resulting in agency budget cuts or layoffs.

HF542*/SF443/CH83

New law provides geospatial data sharing free of charge

The Minnesota Geospatial Information Office will be required to share electronic geospatial data free of charge with other government entities.

Effective Aug. 1, 2013, the law defines electronic geospatial data as digital data that uses geographic or map coordinates, codes, or other descriptive data to locate and describe boundaries, or other geographical features or characteristics, of the earth's inhabitants or human-constructed features.

The data can be used by government agencies for analysis, planning or other decision-making activities; flood planning or response, for example.

The law is sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Chris Eaton (DFL-Brooklyn Center).

HF1390*/SF1298/CH95

Changes made Met Council's wastewater services law

Technical changes have been made to the Metropolitan Council's wastewater services enabling law.

Effective May 25, 2013, a new law strikes the words "target pollution loads" from the council's water resources plan and removes obsolete references that refer to a waste control commission abolished in 1994, and the sewer board that predated it.

Sponsored by Rep. Jason Isaacson (DFL-Shoreview) and Sen. Bev Scalze (DFL-Little Canada), the law also permits the council to allow a local unit of government to defer payment of allocated current wastewater services costs.

HF738*/SF551/CH101

Warning requirements changed for money transmitters

A new law that clarifies when money transmitters must provide consumer fraud warnings is effective May 25, 2013.

It requires warnings only on transmittal forms that send money to an individual, in order to exclude payments being sent to utilities or other companies. Previously, the warning had been required on all transmittal forms used by consumers. Potential fraud on money transfers usually involves the money being received by someone other than the intended recipient.

The law is sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Paul Gazelka (R-Nisswa).

HF527*/SF544/CH103

Settling claims against the state

More than \$20,000 will be paid out to settle claims against the state "for losses suffered while incarcerated in a state correctional facility or for injuries suffered by and medical services provided to persons injured while performing community service or sentence-to-service work for correctional purposes or while incarcerated in a state correctional facility."

Each year, a Joint House-Senate Subcommittee on Claims meets to determine which petitions will be funded. All state agencies are eligible to receive funding to cover the claims; however, all of this year's claims are related to the Corrections Department.

The largest amount in this year's bill would be \$8,505 to Marijo Muck for injuries

to her left rotator cuff while performing duties at the women's prison in Shakopee. Other payments would be \$5,250, \$1,794 and \$1,500 for individual claims, and almost \$3,702 "for sentence-to-service and community work service claims under \$500 and other claims already paid by the department."

Rep. Mary Murphy (DFL-Hermantown) and Sen. Jim Carlson (DFL-Eagan) sponsor the law that is effective July 1, 2013.

HF1792*/SF1629/CH122

Voters to decide who sets legislators' salaries

Voters will decide whether to allow the creation of a citizen-only board that sets legislators' salaries.

The new law, which Gov. Mark Dayton returned to the House of Representatives without his signature May 24, 2013, requires a proposed constitutional amendment be put to the voters in the 2016 general election asking if a 16-member citizen council appointed by governor and chief justice of the state Supreme Court should set legislators' salaries.

The council would prescribe the salaries by March 31 of each odd-numbered year and any changes would take effect in July of that year.

In creating the council, the chief justice would select one person from each congressional district, who is not a judge, and the governor would also appoint one member from each congressional district.

The ballot measure is sponsored by Rep. Jason Metsa (DFL-Virginia) and Sen. Kent Eken (DFL-Twin Valley).

HF1823*/SF533/CH124

Revisor bill cleans up language

Each session, a law is needed to clean up statute language that could include erroneous, ambiguous, and omitted text and obsolete references. The law is based on suggestions from the Office of the Revisor of Statutes.

A new law makes the statutory changes suggested by the Revisor.

Commonly known as the "revisor's bill," this year's law is sponsored by Rep. Barb Yarusso (DFL-Shoreview) and Sen. Ron Latz (DFL-St. Louis Park).

The law has various effective dates.

HF972*/SF827*/CH125

Tech agency gets a new name and other administrative changes

A new law officially changes the name of the Office of Enterprise Technology to the Office of MN.IT Services. The office already has been operating as MN.IT services, and the name change in this law makes this designation official.

This law also makes a variety of changes in laws governing the administration of Minnesota Management & Budget and MN.IT.

The law eliminates MMB reports on teacher pension aids and whether budgeted appropriations can meet the funding needs of pension plans.

It repeals the requirement for MMB reports on programs that have expenditure increases over 15 percent. It allows the department to post to its website local impact notes that estimate the fiscal ramifications of proposed legislation on local units of government, and repeals a requirement that MMB compile key impact notes in a report by Sept. 1 of each even-numbered year.

Sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Bev Scalze (DFL-Little Canada), the law is effective Aug. 1, 2013.

HF1389*/SF1245/CH134

Commerce Department typos get a fix

Typographical errors in current law regarding the Department of Commerce now have their own law directing the department to make necessary corrections. Rep. Raymond Dehn (DFL-Mpls) and Sen. Jim Carlson (DFL-Eagan) sponsor the technical law that includes correcting errors concerning fees, which are referenced in other parts of the law. Many of the provisions haven't been looked at for 20 years or longer, Dehn said.

For example, the law clarifies that anyone selling flood insurance must be licensed and must have passed the minimum training and education requirements of the Federal Emergency Management Agency.

Realtors seeking to transfer their license to another brokerage firm will see the transfer fee doubled to \$20.

The law clearly defines the composition of a board of directors for a self-insurance pilot project among agricultural cooperatives.

The law is effective May 25, 2013.

HF1221*/SF626/CH135

High-ranking state officials get pay increases

The governor, other constitutional officers and agency heads will see a pay bump.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Tom Saxhaug (DFL-Grand Rapids), the provision is contained in the omnibus state government finance law that appropriates about \$927 million to 28 agencies, an increase of more than \$30 million from the last biennium. The law has various effective dates.

Currently, agency heads cannot receive a salary larger than the governor, who makes about \$120,000 a year. Under the law, the salary limit for about 20 agency heads, including the Department of Administration and Department of Education, will increase to 133 percent of the governor's salary and increase thereafter annually by the Consumer Price Index. Agency heads of smaller agencies, such as the Gambling Control Board and the Public Utilities Commission, can make as much as 120 percent of the governor's salary. Their salary limits will also increase every year by the Consumer Price Index. Actual salaries for agency heads within these limits will be set by the governor.

In the first pay increase in about 15 years, the governor's pay will bump up by 3 percent in 2015 and 2016. Constitutional officers' salaries also increase by 3 percent in 2015 and 2016.

Despite the compensation council's recommendations to increase legislators' pay, increases were not included.

Departments look to adapt to changing technology

Under the new law, MN.IT, the state's information technology office, is authorized to enter into contracts with private entities to expand online information services to citizens and business. These contracts may provide for the private entity to charge a fee not to exceed \$2 in order to use "e-government services" that will be provided under these contracts. The fee, meant to go toward more e-government services, will not be charged for viewing or inspecting of data.

In the Revenue Department, savings are expected through the automation of several services and by requiring businesses to file wage levies and other tax documents electronically. Also, the Revenue Department plans to save money by issuing debit cards to provide tax refunds to taxpayers who do not choose direct deposit. To ease concerns about

security and misuse of data, a new provision requests the legislative auditor to conduct data security audits of the debit cards as resources allow.

Sunset Commission to sunset

Many DFLers believe that the Sunset Commission, established in 2011 to eliminate duplicated and unneeded government departments and agencies, is itself duplicative and unneeded.

Under the new law, the Sunset Commission is abolished. Duties to review advisory groups will instead be completed by the Legislative Commission on Planning and Fiscal Policy, a group that already exists in current law.

Among other appropriations, \$920,000 over the biennium will allow Minnesota Public Radio to purchase equipment and upgrades to the AMBER Alert system; and \$750,000 is appropriated each year for the Minnesota Assistance Council for Veterans, a nonprofit that helps homeless veterans and families. One-time appropriations include \$30,000 in matching funds for a bust or statue of civil rights leader Nellie Stone Johnson and \$40,000 for a program that connects government employees with students through a reading program.

HF1184/ SF1589*/CH142

Revisor's Bill

Near the end of each session, the Office of the Revisor of Statutes assists legislators in preparing a bill that corrects oversights, inconsistencies, ambiguities, unintended results and technical errors in legislation considered earlier that session.

A new law makes clarifications and corrections from laws enacted in 2013.

The law has various effective dates, corresponding to those of original enactment. It is sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Ron Latz (DFL-St. Louis Park).

HF1840/SF1664*/CH144

Taxes

Early action taken on 2012 tax conformity issues

The Legislature took early action to make the necessary tax conformity changes needed to match up with those at the federal level, at least for the 2012 tax year. The changes result from enactment of the American Taxpayer

Relief Act of 2012 and the Federal Aviation Administration Modernization and Reform Act of 2012.

Provisions include the extension of the higher education tuition and educator classroom expense deductions and the ability of those age 70 ½ years or older to transfer up to \$100,000 from an individual retirement account or Roth IRA directly to a qualified charity. (Secs. 3-5)

The law also allows airline employees who received bankruptcy payments to retroactively roll over the payments into a traditional IRA in the year the payments were received. (Sec. 26)

A large part of the new law includes changes to the Iron Range Resources and Rehabilitation Board and its grant operations. The IRRRB receives funding from the mining companies in lieu of property taxes and then disperses it as grants to Iron Range communities. The board sought changes that included a shift in the board's composition: Instead of having 10 elected and three appointed positions, the board will be comprised solely of senators and representatives who have at least one-third of their district in the taconite assistance area. (Secs. 1, 6-25)

With various effective dates, the law is sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Rod Skoe (DFL-Clearbrook).

HF6*/ SF119/CH3

Tax law provides property tax relief; creates new fourth tier rate

The nearly \$2.1 billion raised through the new tax law is billed as an effort to bring structural stability to the state's budget and provide property tax relief, while moving closer to paying back the money the state has borrowed from the schools during previous budget cycles.

Revenue will come largely from a new fourth-tier income tax rate and beefed up cigarette taxes along with closing some corporate loopholes and increasing other taxes on businesses. In turn, the money will go toward DFL priorities of erasing the state's projected \$627 million deficit; paying for a \$400 million property tax relief package and moving up the timeframe for paying back the \$850 million the state owes the K-12 schools.

The law is sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Rod Skoe (DFL-Clearbrook). Provisions are effective July 1, 2013, unless otherwise noted.

HF677*/SF552/CH143

Raising revenue

Although a new fourth-tier income tax rate on the state's highest earners was part of the revenue mix since the start of session, it was unclear what that final rate would be and at what level of income. A negotiated end-of-session settlement produced a new rate of 9.85 percent. This was the rate proposed in the governor's tax bill, which was higher than the House's original position of 8.49 percent and the Senate's proposal of 9.4 percent.

The new fourth-tier income tax bracket will affect:

- married people who file jointly with a taxable income of more than \$250,000;
- married people who file separately with a taxable income of over \$125,000;
- single filers making over \$150,000; and
- heads of household with a taxable income of over \$200,000.

Sales taxes

Taxes on a pack of cigarettes will rise to \$2.83 from the current \$1.23. Other tobacco products will also be taxed at higher rates, including taxing "little cigars" as cigarettes and taxing each container of "moist snuff" at the same rate as a pack of cigarettes or 95 percent of the wholesale sales price, whichever is higher. Part of the revenue from the first year of the cigarette tax increase will be used for the new stadium to house the Minnesota Vikings.

To prevent retailers and wholesalers from stockpiling tobacco product before that date, a one-time new cigarette tax is equal to the tax increase will be imposed on current inventories. That is expected to raise \$32.4 million, of which \$26.5 million will go to the special fund used for the stadium. (Art. 5, Secs. 6-17).

Additionally, backup revenue for the stadium, if needed, would come from closing corporate tax loopholes regarding revenue from sales in the state. That is expected to raise approximately \$26 million in the first year and \$20 million per year thereafter. (Art. 6, Sec. 23)

There are few new consumer sales taxes in the law; however, those who download ringtones, music, videos, and books will be paying a sales tax on these digital items as will those who play online computer games. The sales tax exemption for textbooks required in higher education courses will be extended to digital books. (Art. 8, Secs. 7-15, 24)

Businesses will be asked to pay new sales taxes on warehousing and storage (not including mini-storage); electronic

and commercial equipment repair and maintenance; and through repealing the current sales tax exemption on telecommunications equipment purchases. Because of administration issues, the imposition of the tax on warehousing and storage services will be delayed until after March 31, 2014. However, beginning in 2014, businesses will benefit on an upfront exemption from sales tax on capital equipment. (Art. 8, Secs. 2, 26)

City and county governments will be exempt from paying sales tax. Supporters say the sales tax exemption should allow cities and counties enough revenue to freeze property tax levy limits for one year. (Art. 4, Sec. 48; Art. 8, Sec. 29)

Property tax relief

The new tax revenue will help pay for a property tax relief package. Most significant is increased eligibility through changes to the Homeowners property tax refund program, which the law renames as the "Homestead Credit Refund." These changes come largely from reducing the amount of income homeowners must pay in property taxes to qualify for the program. Effective for refunds based on taxes payable in 2014, the first \$5,500 in contributions to retirement accounts can be excluded from the income calculation. The law also calls for a one-time effort in 2014 to notify homeowners who may be eligible for a refund of at least \$1,000, but who have not been claiming refunds. (Art. 1, Secs. 1-2, 5)

Renters will see benefit as well. The law also reduces the income threshold for program eligibility for renters and increases the maximum refund allowed. (Art. 1, Sec. 3)

Aid for local governments

In a further effort to lower property taxes, the new law revamps the current Local Government Aid formula making it more equitable, understandable and predictable, supporters say.

The LGA appropriation will increase from the current \$426 million to \$507.6 million for calendar year 2014. In 2015 and 2016, the amount is increased by \$2.5 million each year and then frozen at the 2016 amount.

The new formula bases a city's unmet need (the amount needed to bridge the gap between its service costs and its funding) where need is calculated differently based on city size. Characteristics taken into consideration include population measures,

age of housing stock and jobs per capita. (Art. 2, Secs. 8-18)

Other aids and credits include:

- increases in the County Program Aid appropriation by \$40 million annually, from \$166 million to \$206 million;
- increases to the disparity reduction credit to help commercial-industrial properties in four cities along the North Dakota border compete with the neighboring state;
- cities in southwestern Minnesota affected by an April ice storm can receive their entire 2013 LGA payment on July 20, 2013;
- creating a new township aid program with an appropriation in 2014 and after of \$10 million;
- helping the City of Minneapolis through debt service payment aid, beginning Nov. 1, 2016, and annually thereafter, to pay off bonds for the new library. (Art. 2, Secs. 1, 17, 19-21);

Economic Development

Mayo Clinic and the City of Rochester plan a nearly \$6 billion project to further make the Mayo Clinic a worldwide medical destination and improve city's infrastructure.

The Mayo Clinic is expected to invest \$3.5 billion of private capital into expanding buildings and facilities throughout Rochester, and \$2.1 billion in outside private investments is to be secured for the project. However, they looked to the state for several tax concessions and public infrastructure funding to help support the project, expected to take 20 years to complete.

The state will pay aid sufficient to fund \$327 million in public infrastructure projects during the life of the project but not beyond the year 2049. The city is expected to pay an additional \$128 million to qualify for the aid. The state and the county or city will also pay for up to \$116 million of transit-related projects; with state aid covering 60 percent of this cost.

The law offers the following support to the project:

- a sales tax exemption for construction materials and supplies used for the public infrastructure; and
- provides for several county and city local tax mechanisms to help fund the local share of the infrastructure and allowance for bond funding.

The law also lays out the framework of operation for a nonprofit corporation to oversee the project. Additionally, an analysis

is called for regarding the feasibility of a high-speed rail between Rochester and the Mall of America in Bloomington. (Art. 10, Secs. 1-16)

Under the law, other cities would receive economic help as well through extension of sales taxes, sales tax exemptions for construction materials, imposition of lodging taxes or changes to tax-increment financing districts. These projects include the proposed expansion to the Mall of America; a new building for 3M in Maplewood; and a biopharmaceutical manufacturing facility in Brooklyn Park. (Art. 9, Secs. 1, 10-11, 21-23, 37-42)

Taxes on the range

The Iron Range has its own unique set of taxes set around the mining industry. The law will increase the rate of the taconite production tax by 5 cents per ton and increase the match requirement for companies receiving distribution from the taconite economic development fund from 50 percent to an equal match. (Art. 11, Secs. 1-5)

Other provisions in the law:

- change the tax rate on jet fuels and special fuels to 15 cents per gallon, effective July 1, 2014; (Art. 5, Sec. 2-5)
- impose an upfront prepaid wireless fee for 911 services that replaces the fee imposed when service is used; (Art. 13, Secs. 3-21)
- establish a lease purchase-agreement proposal and funding for design work on a new legislative office building (Art. 12, Secs. 21-22);
- create a four-month grace period to give active duty military homeowners more time to pay their property taxes; (Art. 4, Sec. 20) and
- a Greater Minnesota Internship program is established to help keep young, educated adults in rural Minnesota. (Art. 6, Sec. 4)

Transportation

State highway will honor slain officer

A stretch of state highway is to be renamed in memory of a Minnesota police officer killed in the line of duty.

Sponsored by Rep. Jeff Howe (R-Rockville) and Sen. Michelle Fischbach (R-Paynesville), the law honors fallen Cold Spring police officer Tom Decker by designating an 11-mile stretch of Trunk Highway 23 from

Wakefield Township to Richmond in rural Stearns County the Officer Tom Decker Memorial Highway. It takes effect Aug. 1, 2013.

Decker was shot and killed Nov. 29, 2012, while responding to a call in downtown Cold Spring. His murder remains unsolved.

HF146/SF76*/CH12

Law lays out future of I-35W bridge remains

The Minnesota Historical Society, federal and state transportation agencies, higher education institutions with engineering programs and bridge collapse survivors have priority to take home pieces of remnant steel left over from the deadly 2007 collapse of the Interstate 35W bridge in Minneapolis.

Effective May 25, 2013, the law, sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Ron Latz (DFL-St. Louis Park), authorizes the transportation commissioner to disburse, free of charge, pieces of the I-35W bridge wreckage within six months to interested parties. Portions of the bridge steel not given away will be sold as scrap.

The bill specifies that the first \$22,000 in proceeds from the disposal of the remaining steel after the six-month giveaway be deposited into the trunk highway fund; remaining proceeds would go to the state's General Fund. The General Fund paid out settlements to collapse victims who agreed not to sue the state as part of the I-35W Survivor Compensation Fund.

HF1451*/SF1305/CH93

Law alters rules for school bus use for special events

Non-pupils will be able to hitch a ride on school buses for transport to certain special events under a new law.

Sponsored by Rep. John Ward (DFL-Baxter) and Sen. Carrie Ruud (R-Breezy Point), the law, effective Aug. 1, 2013, lays out an exception to state law that allows school buses to be used for one- or two-day special events without being required to register as a commercial bus.

Use of flashing lights and the crossing stop arm will be prohibited under the amended law, and the nonprofit entity utilizing the school bus will be required to obtain a special temporary vehicle identification card.

HF1304*/SF1133/CH102

Wheelage tax, light rail funds highlight transportation law

Billions of dollars to fund statewide road maintenance projects, the option for every county in the state to levy a wheelage tax and one-time funds toward a new light-rail line are key provisions of an omnibus transportation funding law.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the funding package appropriates more than \$5 billion to cover state's transportation needs over the next biennium. It takes effect July 1, 2013, unless otherwise noted.

HF1444*/SF1173/CH117

Among the provisions in the law for the state highway budget are:

- increasing state road construction funding by almost \$360 million over the biennium;
- increasing base appropriations by \$10 million annually from the trunk highway fund for use in a newly-established Transportation Economic Development program; and
- a \$5 million increase in the base appropriation for operations and maintenance of state roads. (Art. 1, Sec. 3; Art. 3, Sec. 19)

Aimed at efforts to expand the Twin Cities metro region's transit system is a \$37 million, one-time appropriation in fiscal year 2014 toward the state's 10 percent share of the estimated \$1.25 billion cost of constructing the Southwest Corridor light rail line between downtown Minneapolis and Eden Prairie. (Art. 1, Sec. 4)

The law also includes an increased base appropriation of \$18 million to the Metropolitan Council for bus, light rail and commuter rail operations in the 2014-15 biennium and \$11.7 million annually during the 2016-17 biennium. (Art. 1, Sec. 4)

The legislation establishes a Corridors of Commerce program aimed at improving trunk highways of commercial importance to areas of the state by adding additional capacity or making freight improvements funded largely through \$300 million in trunk highway bonding. (Art. 1, Sec. 3; Art. 2, Sec. 2)

Greater Minnesota counties will also have access to new transportation funding mechanisms thanks to other fiscal policy provisions included in the law. All Minnesota counties will be able to levy an annual wheelage tax on vehicles kept in the county to raise funds for local road projects.

Previously, state law limited the option of a \$5 wheelage tax to only the seven-county metro area; that has been expanded to include all 87 counties with the amount increased to \$10 in 2014 followed by up to \$20 beginning in 2018. The law also eliminates a required referendum for counties outside of a transportation improvement area in the Twin Cities region to impose a transportation sales tax for transportation projects including ongoing transit service. (Art. 3, Secs. 4, 25-26)

Changes were made to some exemptions to the motor vehicle sales tax, which is imposed when a vehicle is sold. The law increases a flat amount charged for some older model collector vehicles (from \$90 to \$150) that is in place instead of the tax typically based on vehicle value. It also eliminates an exemption from the tax for some gifts between individuals, although most gifts between family members remain exempt. (Art. 3, Secs. 27-29)

Fees on motor vehicle titles and driver's licenses are also modified. Starting in 2017, fees for new vehicle titles will increase from \$6.25 to \$8.25, while a \$5.50 title transfer fee is eliminated. The filing fee for a new or renewed driver's license or state identification card is increased from \$5 to \$8. (Art. 3, Secs. 6, 11)

Other provisions include:

- a mandate for the use of "Made in Minnesota" solar panels for MnDOT projects that use solar voltaic systems unless federal funds prohibit otherwise or if no Minnesota-made modules that fulfill the required function are available (Art. 3, Sec. 20);
- \$1.25 million in new funding for State Capitol security and an additional \$1 million for highway patrol in the Minnesota State Patrol budget (Art. 1, Sec. 5); and
- establishing a task force to compare Minnesota novice driver education programs with national standards. A report is due the Legislature by Aug. 31, 2015. (Art. 3, Sec. 37)

Bicycle safety a priority in new transportation policy law

New protective measures for bicyclists, a permanent position to aid Department of Transportation dispute resolution and the establishment of a periodic review of MnDOT-owned property for possible sale are part of an omnibus transportation policy law.

Sponsored by Rep. Ron Erhardt (DFL-Edina) and Sen. D. Scott Dibble (DFL-Mpls), the law contains a number of measures aimed at providing safeguards for the increasing number of bicyclists on Minnesota roads. Effective Aug. 1, 2013, unless otherwise noted, it includes provisions that:

- tighten restrictions on vehicles turning through bike lanes and vehicles passing through bike lanes;
- prohibit parking, standing or stopping in bicycle lanes unless noted otherwise by posted signage; and
- eliminate language requiring riding a bicycle at the right-hand curb or edge of the road if the biker is riding in a designated bicycle lane. (Secs. 30, 32, 35)

Bikers will be able to use a wider range of equipment to meet nighttime bicycle lighting requirements and the sale of a bicycle without pedals will be allowed. (Secs. 33, 34)

A prohibition on the use of a cell phone for personal reasons by school bus operators is expanded to all times when the vehicle is in the flow of traffic, including stopped at a traffic light, and state law requiring school bus drivers to wear a seat belt has been clarified to specify the safety belt must be worn across the shoulder and lap. (Secs. 38, 39)

Other transportation policy measures in the law include:

- allowing attractions to appear on MnDOT roadside business logo signs; (Secs. 2-3)
 - establishing a review of MnDOT-owned lands for possible sale; (Sec. 9)
 - setting requirements around the controversial rerouting of state Highway 53 between Eveleth and Virginia; (Sec. 65)
 - requiring the Metropolitan Council to provide accessibility for those with disabilities to a pedestrian skyway at the Union Depot Central Corridor station; (Sec. 61)
 - establishing in state statute an existing MnDOT ombudsperson position that was established administratively to aid the department in resolving disputes; (Sec. 47)
 - modifying MnDOT authority and duties related to intercity passenger rail, authorizing the department to contract with railroads for development of track and use of existing rail tracks and facilities and operation of passenger rail lines; (Sec. 52) and
 - effective May 25, 2013, authorizing regional rail authorities in the seven-county Twin Cities metropolitan area to use levy authority to develop bus rapid transit lines in transitways proposed in the Metropolitan Council's 2030 transportation plan. (Sec. 59)
- HF1416/SF1270*/CH127

Heavier trucks get OK in west-central Minnesota

Heavier transport trucks headed to or from newly constructed distribution centers will be allowed on west-central Minnesota roads.

Six-axle semi trucks up to 90,000 pounds and seven-axle trucks weighing up to 97,000 pounds will be permitted to drive on state roads in the Department of Transportation's District 4 region, provided they are hauling freight to or from a distribution center constructed on or after July 1, 2013. District 4 encompasses an area including Detroit Lakes, Morris, Alexandria, Fergus Falls and Moorhead.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. David Tomassoni (DFL-Chisholm) sponsor the law, which is effective May 25, 2013.

Permits for six-axle vehicles will cost \$300; seven-axle trucks will cost \$500. Revenue from sale of the permits will be directed toward a state fund for bridge inspections and posting weight limits.

The law also makes some appropriations changes for part of the public safety budget, modifying future appropriations for the Bureau of Criminal Apprehension's criminal history, criminal reporting and fingerprinting systems.

HF316*/SF300/CH140

2013 MINNESOTA LEGISLATURE

FINAL ACTION AS OF JULY 26, 2013

CH—Chapter		HF—House File		SF—Senate File		R—Resolution	liv—Line-item veto
CH	Bill Passed	Author	Companion	Author	Description		Effective date

Business and Commerce							
6	HF0365	Freiberg	SF0336	Franzen	Electronic fund transfers regulated, and providing that Uniform Commercial Code article 4A does not apply to a remittance transfer that is not an electronic funds transfer under the federal Electronic Fund Transfer Act.		3/15/2013
38	SF1291	Tomassoni	HF1320	Anzelc	Mine inspector provisions and technical, clarifying, and other policy changes made.		8/1/2013
50	HF0194	Atkins	SF0247	Bonoff	Fraud prevented, money transmissions regulated, no transmit list established, and notifications and verifications required.		1/1/2014
69	SF0683	Rest	HF0817	Myhra	Public accounting services exempted from licensure requirements.		8/1/2013
79	SF1006	Pappas	HF1060	Atkins	Lawful gambling account, record keeping, other regulatory provisions modified.		5/21/2013
84	HF0779	Atkins	SF0662	Lourey	Health plan policy and contract coverages regulated, state law conformed to federal requirements, health plan market rules established, and designation of essential community providers modified.		05/21/13
88	SF0561	Jensen	HF0644	Atkins	Building and construction contracts regulated, and third party insurance agreements prohibited.		05/21/13
91	HF0694	Lesch	SF0586	Dahle	Debt management and settlement; attorneys at law exemption clarified, and debt settlement services regulation modified.		05/21/13
106	HF1243	Atkins	SF1376	Reinert	Securities and franchise registration provisions modified.		05/21/13
119	HF1118	Freiberg	SF0832	Wiklund	Bond security requirements modified.		05/22/13
120	HF0157	Hilstrom	SF0382	Sieben	Bullion coin dealers regulated, registration required, conduct prohibited, and enforcement authority and civil and criminal penalties provided.		05/22/13
130	HF1587	Halverson	SF1088	Jensen	Foreign language polices and advertising regulated, and electronic notices and documents authorized.		5/22/13
Bonding							
136	HF1070	Ward, J.E.	SF0960	Sparks	Omnibus bonding bill.		5/22/13
Civil Law							
10	HF0087	Winkler	SF0249	Franzen	Affidavit of survivorship and release or partial release of mortgage lien provided for, interest claimed in registered land after resignation, and technical and conforming changes made.		Sections 1, 3, 4, 5, 6: 8/1/2013, Section 2: 3/22/2013
21	HF0450	Atkins	SF0392	Latz	Actions for damages based on services or construction to improve real property limitations modified.		8/1/2013
23	HF0232	Hilstrom	SF0327	Goodwin	Statutory short form power of attorney modified, and judicial relief authorized.		Various
24	HF0369	Freiberg	SF0350	Franzen	Uniform Community Property Rights at Death Act adopted.		8/1/2013
28	HF0283	Winkler	SF1108	Wiklund	Evidence arising from a collaborative law process availability limited.		8/1/2013
36	HF0019	Hortman	SF0084	Newman	Agency designations allowed in certain civil law situations, form language provided, clarifying changes made, and filing requirements clarified for appeals to Tax Court.		8/1/2013
39	SF0345	Goodwin	HF0410	Hilstrom	Crime victim's estate authorized to request or enforce an order for restitution.		5/7/2013
56	HF1120	Freiberg	SF0516	Wiklund	Judicial review of contested case service on all parties required.		8/1/2013
65	SF0250	Hayden	HF0252	Allen	Child placement proceedings modified.		8/1/2013
74	HF1054	Clark	SF0925	Dibble	Marriage between two persons provided for, and exemptions and protections based in religious association provided for.		8/1/2013
82	SF0745	Dziedzic	HF0695	Simon	Omnibus Data Practices Bill.		05/21/13
89	HF0681	Simon	SF0534	Latz	Limitation period for civil actions involving sexual abuse changed.		05/21/13
90	HF0335	Simon	SF0041	Dibble	Jury service exclusion prohibited on the basis of marital status or sexual orientation.		05/21/13
94	HF0161	Cornish	SF0196	Ingebrigtsen	Homicide victim specified personal property protection inventory and emergency order authorized to preserve rights of decedent's heirs and beneficiaries; notice of rights and procedures added to crime victims' chapter.		05/21/13

2013 MINNESOTA LEGISLATURE

FINAL ACTION AS OF JULY 26, 2013

CH—Chapter		HF—House File		SF—Senate File		R—Resolution	liv—Line-item veto
CH	Bill Passed	Author	Companion	Author	Description	Effective date	
104	HF0080	Hilstrom	SF0033	Latz	Assigned consumer debt default judgments regulated, limitation period provided to bring an action arising out of consumer debt, and bail amount set for failure to comply with judgment debtor disclosure requirements in consumer debt cases.	05/21/13	
109	HF0392	Melin	SF0286	Latz	Juvenile court proceeding records governing provisions modified.	05/22/13	
118	HF0792	Holberg	SF0768	Sieben	Negligent conduct liability waivers prohibited.	05/22/13	
Consumers							
16	HF0290	Simon	SF0281	Latz	False claims provisions modified.	8/1/2013	
17	HF0129	Sanders	SF0294	Dahle	Mortgage foreclosures regulated, and foreclosure consultant definition clarified.	4/23/2013	
40	HF0648	Davnie	SF0818	Champion	Lender provisions regulated for those who use motor vehicle titles of the borrower as collateral.	8/1/2013	
42	SF0541	Metzen	HF0746	Atkins	Omnibus Liquor Bill.	Various	
53	SF0748	Sparks	HF0654	Laine	Preneed funeral insurance regulated.	8/1/2013	
54	HF0791	Hortman	SF0574	Reinert	Annuity products regulated, and model regulation adoption enacted and modified by the National Association of Insurance Commissioners relating to suitability in annuity transactions.		
60	HF0131	Slocum	SF0316	Goodwin	Estate sale conductors required to post a bond to protect owners of property to be sold.	1/1/2014	
67	HF1284	Schoen	SF1131	Metzen	Motor fuel sale restriction by local units of government prohibited.	5/17/2013	
126	HF1214	Mahoney	SF0934	Wiger	Motor vehicles regulated, scrap metal processing regulation amended, proof of ownership or hold period required for vehicles purchased for scrap, automated property system and criminal penalties created.	05/22/13	
Economic Development							
64	SF0340	Hawj	HF0368	Mahoney	Loans to development authorities modified.	8/1/2013	
Education							
116	HF0630	Marquart	SF0453	Wiger	Omnibus K-12 Education Policy and Finance Bill.	05/22/13	
Elections							
110	HF1112	Winkler	SF1030	Goodwin	Secretary of state duties and responsibilities modified, and standard of conduct provided for directors of cooperatives.	05/22/13	
131	HF0894	Simon	SF0677	Sieben	Elections Policy Omnibus Bill.	5/22/13	
138	SF0661	Sieben	HF0863	Winkler	Campaign finance additional disclosure provided for, and various changes made to campaign finance and public disclosure law.	5/22/13	
Employment							
2	SF0058	Eaton	HF0095	Lillie	Labor agreements and compensation plans between the state of Minnesota and employee associations ratified.	2/20/2013	
15	HF0504	Metsa	SF0372	Sparks	Reinsurance association prefunded limit eliminated.	1/1/2015	
27	HF0748	Simon	SF0602	Dziedzic	Prompt payment of wages requirements and penalties modified.	4/30/2013	
33	HF1378	Mahoney	SF1337	Pappas	Workers' Compensation Court of Appeals personnel provisions modified.	5/2/2013	
41	HF1195	Nelson	SF1111	Dziedzic	Hennepin County given the same authority as Minneapolis to negotiate agreements relating to skilled trade and craft workers and apprentices.	8/1/2013	
61	SF0523	Champion	HF0690	Mahoney	Reliance on criminal history for employment purposes limited, and remedies provided.	1/1/2014	
70	SF1234	Sparks	HF1359	Mahoney	Worker's compensation; various policy and housekeeping changes made, advisory council recommendations adopted, and report required.	ARTICLE 1, Sec 1-6: 5/17/2013, Sec 7: 7/1/2013, ARTICLE 2: 10/1/2013	

2013 MINNESOTA LEGISLATURE

FINAL ACTION AS OF JULY 26, 2013

CH—Chapter		HF—House File		SF—Senate File		R—Resolution		liv—Line-item veto	
CH	Bill Passed	Author	Companion	Author	Description			Effective date	
77	HF1069	Lillie	SF1185	Eaton	Labor agreements and compensation plans ratified, and money appropriated.			5/21/2013	
85	HF0729	Mahoney	SF1057	Tomassoni	Omnibus jobs, economic development, housing, commerce, and energy bill.			05/21/13	
87	SF0840	Champion	HF0568	Hansen	Personal sick leave benefits modified.			05/21/13	
111	SF0489	Pappas	HF0629	Murphy, M.	Omnibus Pensions Bill.			5/22/2013	
128	SF0778	Pappas	HF0950	Nelson	Family child care providers and individual providers of direct support services collective bargaining authorized, Quality Self-Directed Services Workforce created, and money appropriated.			5/22/13	
Energy									
57	SF0521	Tomassoni	HF0623	Melin	Biomass mandate project regulated.			5/14/2013	
132	HF0854	Atkins	SF0695	Dibble	Distributed generation and renewable energy provisions modified, conservation improvement investments for low-income programs regulated, and eminent domain and condemnation procedures modified.			5/22/13	
Environment and Natural Resources									
4	HF0066	Hansen	SF0113	Sparks	Drainage system provisions modified.			8/1/2013	
52	HF1113	Wagenius	SF0987	Dziedzic	Environment and natural resources trust fund money appropriated, Legislative-Citizen Commission on Minnesota Resources provisions modified, and land acquisition with trust fund money requirements modified.			7/1/2013	
73	HF0740	Erickson, R.	SF0886	Hawj	Omnibus Lands Bill.			Various	
75	HF0461	Benson, J.	SF0248	Bonoff	Mechanical control of hybrid and narrow-leaved cattail allowed by rulemaking without an aquatic plant management permit.			8/1/2013	
92	HF0814	Schoen	SF1033	Sieben	Hazardous substance release report required to local 911 emergency dispatch center.			01/01/14	
105	HF0819	Murphy, M.	SF0613	Scalze	Public Facilities Authority grant programs reorganized, and small community wastewater treatment grants provided for.			05/21/13	
114	HF0976	Wagenius	SF1170	Tomassoni	Omnibus Environment, Natural Resources and Agriculture Finance and Policy Bill.			05/22/13	
137	HF1183	Kahn	SF1051	Cohen	Omnibus Legacy Bill.			05/24/13 (liv)	
Game and Fish									
121	SF0796	Schmit	HF0742	Dill	Omnibus Game and Fish Policy Bill.			05/22/13	
Health and Human Services									
1	HF0009	Huntley	SF0005	Sheran	Medical assistance eligibility expanded, and modified adjusted gross income and standard income disregard use required.			January 1, 2014	
8	HF0582	McNamar	SF0493	Eken	Advanced diagnostic imaging service accreditation required for operation in Minnesota.			8/1/2013	
9	HF0005	Atkins	SF0001	Gimse	Minnesota Insurance Marketplace established, powers and duties prescribed, abortion coverage prohibited with certain exemptions, person's physician of choice right recognized, right to not participate established, open meeting requirements and data practice procedures specified, and money appropriated.			3/21/2013	
11	HF0164	Norton	SF0118	Hayden	Radiation therapy facility construction provisions modified.			8/1/2013	
13	SF0166	Wiklund	HF0201	Schoen	Advanced emergency medical technician provisions modified, inspection provisions updated, and requirements provided for emergency medical responder registration.			8/1/2013	
14	SF1086	Champion	HF1181	Dorholt	Public accommodations for blind and disabled persons ensured.			8/1/2013	
18	HF0075	Schoen	SF0039	Rosen	Community paramedic certification continuing education hours required.			8/1/2013	
25	SF0953	Hoffman	HF1210	Allen	Social work licensure provision modified.			8/1/2013	
30	SF0422	Sheran	HF0704	Hilstrom	Family Reunification Act of 2013 created.			8/1/2013	
31	SF1016	Eaton	HF1124	Fritz	Minnesota Nurse Practicing Act definitions modified.			8/1/2013	

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CH	Bill Passed	Author	Companion	Author	Description		Effective date
43	SF0887	Marty	HF0662	Laine	Health professional education loan forgiveness, tuberculosis standards, and poison control provisions modified; occupational therapy practitioners defined and provisions changed; adverse health events reporting requirements changed; radon education disclosure required; volunteer medical personnel liability coverage provided; and legend drug prescribing authority amended.		8/1/2013
44	SF0825	Wiklund	HF1115	Allen	Medical Practice Act changes made.		8/1/2013
49	HF0947	Liebling	SF0490	Sheran	Sexually dangerous persons and persons with sexual psychopathic personalities commitment law distinguished and clarified from other civil commitments.		8/1/2013
51	HF0588	Atkins	SF0471	Hayden	Hospital staffing report required, study on nurse staffing levels and patient outcomes required, and money appropriated.		8/1/2013
55	HF0195	Loeffler	SF0431	Eaton	Licensed dietitian or nutrition allowed to adhere to a practice guideline or protocol for a legend drug prescribed by a physician.		8/1/2013
58	HF0458	Persell	SF0357	Rest	Formaldehyde banned in children's products.		Section 1 & 2: 5/14/2013
59	HF0969	Dorholt	SF1297	Eaton	Chemical and mental health and state-operated service provisions modified, data sharing allowed, task force repealed, terminology updated and obsolete provisions repealed, and technical changes made.		8/1/2013
62	HF0760	Loeffler	SF0655	Wiklund	Disability outdated terminology updated.		8/1/2013
63	HF0767	Morgan	SF0459	Eken	Department of Human Services Continuing Care Omnibus Policy Bill.		Various
71	HF0459	Atkins	SF0379	Sieben	Bisphenol-A in children's food containers sale prohibited.		5/17/2013
81	SF0654	Wiklund	HF0820	Loeffler	Health care and medical assistance provisions modified.		8/1/2013
98	HF0215	Ward, J.A.	SF0330	Carlson	Physical agent modalities, electrical stimulation, and ultrasound device use orders by licensed health care professionals permitted.		05/21/13
107	HF0975	Benson, J.	SF0872	Franzen	Fair hearing and internal audit provisions modified, Cultural and Ethnic Leadership Communities Council created, obsolete language removed, and technical changes made.		05/21/13
108	HF1233	Huntley	SF1034	Lourey	Omnibus Health and Human Services Finance Bill.		05/22/13
113	HF1117	Huntley	SF1077	Rosen	Chemical and mental health and human service licensing provisions modified, methadone treatment program standards established, drug treatment provisions modified, Schedule I controlled substances added to list.		05/22/13
129	HF0607	Morgan	SF0508	Wiklund	Optometrist provisions changed.		5/22/13
Higher Education							
99	SF1236	Bonoff	HF1692	Pelowski	Omnibus Higher Education Finance and Policy Bill.		05/24/13 (liv)
Housing							
100	HF0829	Allen	SF0967	Champion	Landlord violation civil penalty imposed; tenant holding over provisions amended; time appeal and notice of hearing modified; and technical, clarifying, and conforming changes made.		05/21/13
115	SF1276	Torres Ray	HF1377	Hortman	Mortgage lender and servicer loss mitigation required, and mortgage foreclosure dual tracking prohibited.		05/22/13
Local Government							
35	SF0324	Johnson	HF0441	Hilstrom	Employees and officers of local public pension plans required to report unlawful actions to the state auditor.		8/1/2013
45	SF0510	Marty	HF0128	Slocum	Solid waste collection organization implementation process for cities amended.		5/8/2013
66	SF1564	Wiklund	HF1684	Nelson	Metropolitan Council redistricting provided, and district boundaries adopted.		5/17/2013
97	HF1510	Nelson	SF1351	Eaton	Hennepin County; county contract provisions updated and technical corrections made.		05/21/13

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FINAL ACTION AS OF JULY 26, 2013

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CH	Bill Passed	Author	Companion	Author	Description			Effective date	
123	HF0853	Savick	SF0746	Sparks	Fire and police department aid threshold for financial reports and audits modified.				
141	SF1656	Weber	HF1832	Schomacker	Disaster aid money appropriated to match federal aid for the April 2013 severe winter storm in southwest Minnesota.			5/22/13	
Military and Veterans Affairs									
22	HF0143	Persell	SF0087	Skoe	Minnesotan American Indian veteran plaque authorized for placement in the court of honor on the Capitol grounds.			4/25/2013	
78	HF1138	Newton	SF0971	Dahle	Minnesota Code of Military Justice updated, and clarifying language provided.			8/1/2013	
Public Safety									
5	HF0090	Hilstrom	SF0187	Goodwin	Financial exploitation of a vulnerable adult offenses allowed to be aggregated over a six month period, and venue options expanded.			8/1/2013	
20	SF1168	Kent	HF1043	Simon	Emergency 911 call new crimes created.			8/1/2013	
32	HF0669	Simonson	SF0803	Jensen	Statewide Radio Board expanded and updated to include the latest emergency communication technologies, Statewide Radio Board authorized to elect to become a statewide emergency communication board, tribal governments included in regional board structure, and comprehensive authority provided under board to address all emergency communications.			8/1/2013	
34	SF0769	Jensen	HF1051	Rosenthal	Crime victim rights and programs statutory provisions clarified.			8/1/2013	
37	SF0834	Latz	HF0440	Hilstrom	State Guardian Ad Litem Board provisions modified.			8/1/2013	
47	HF1400	Paymar	SF1423	Jensen	Domestic abuse provisions modified.			8/1/2013	
76	HF0580	Simon	SF0509	Goodwin	Data protection regulated for victims of violence.			Sec 1-4: 8/1/2013, Sec 5: 1/1/2014, Sec 6 and 7: 7/1/2013	
80	SF0346	Goodwin	HF0411	Hilstrom	Money used or intended for use to facilitate a prostitution or sex trafficking offense forfeiture provided for.			8/1/2013	
86	SF0671	Latz	HF0724	Paymar	Omnibus public safety finance bill.			05/21/13	
96	HF0790	Johnson, S.	SF0668	Goodwin	Conditional release terms clarified.			05/21/13	
112	HF0946	Liebling	SF0744	Goodwin	Underage possession or consumption of alcohol immunity provided for a person contacting 911 to seek assistance for another.			05/22/13	
133	HF0590	Hilstrom	SF1068	Wiger	Transit operator assault criminal penalties prescribed.			5/22/13	
139	HF0228	Johnson, B.	SF0614	Nienow	Wildlife arson increased penalties created for damages to multiple buildings or dwellings, acreage, or crops or demonstrable bodily harm; and restitution provisions added.			5/22/13	
State Government									
7	HF0278	Hortman	SF0157	Latz	Uniform Electronic Legal Material Act enacted as approved by the National Conference of Commissioners on Uniform State Laws.			1/1/2015	
19	HF0834	Fischer	SF0515	Scalze	Metropolitan Area Water Supply Advisory Committee sunset date extended.			Retroactive 12/31/2012	
26	SF0359	Pappas	HF0414	Hornstein	Genocide Awareness and Prevention Month designated in April.			4/30/2013	
29	SF0442	Wiklund	HF0543	Liebling	Council on Disability membership requirement modified.			8/1/2013	
46	SF0843	Scalze	HF1196	Nelson	Competitive bid advertisement publications in a recognized industry trade journal authorized.			8/1/2013	
48	SF0380	Hawj	HF0758	Albright	Adult basic education program representative added to the Workforce Development Council.			8/1/2013	

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CH—Chapter		HF—House File		SF—Senate File		R—Resolution	liv—Line-item veto
CH	Bill Passed	Author	Companion	Author	Description	Effective date	
68	HF0634	Falk	SF1073	Jensen	Identical product pricing requirement added, technical updates made to bring state into compliance with most recent federal fuel standards, minimum octane rating established, biodiesel and biodiesel blend disclosure requirement modified, and E85 requirements modified.	5/17/2013	
72	SF1307	Hawj	HF1182	Schoen	Human rights department certificates of compliance provisions changed.	8/1/2013	
83	HF0542	Loeffler	SF0443	Goodwin	Whistleblower protection provided to state employees.	05/21/13	
95	HF1390	Kahn	SF1298	Eaton	Geospatial Information Office provisions updated.	05/21/13	
101	HF0738	Isaacson	SF0551	Scalze	Metropolitan Council miscellaneous technical corrections made, and obsolete language removed and modified.	05/21/13	
103	HF0527	Atkins	SF0544	Gazelka	Money transmitters regulated, and required fraud prevention measures clarified.	05/21/13	
122	HF1792	Murphy, M.	SF1629	Carlson	Claims against the department of corrections settlement provided for, and money appropriated.	05/22/13	
124	HF1823	Metsa	SF0533	Eken	Council authorized to establish salaries for legislators, Compensation Council composition changed, and constitutional amendment proposed.		
125	SF0827	Latz	HF0972	Yarusso	Revisor's bill; erroneous, ambiguous, and omitted text and obsolete references corrected; redundant, conflicting, and superseded provisions removed; and miscellaneous corrections made to laws, statutes, and rules.	05/22/13	
134	HF1389	Kahn	SF1245	Scalze	Finance and budget provisions changed, Office of MN.IT Services added to provisions and MN.IT provisions changed, and state information network exempted from term limitations on contracts.	5/22/13	
135	HF1221	Dehn, R.	SF0626	Carlson	Technical and housekeeping changes made relating to staff adjusters, canceled licenses, and transfer fees; producer training requirements provided; Commerce Fraud Bureau regulated; property and casualty actuarial opinions of reserves and supporting documentation required; agricultural cooperative health plan for farmers regulated; real property appraisals regulated; application, education, and training requirements regulated; Public Utilities Commission requests regulated; membership camping license requirement eliminated; obsolete collection agency rule repealed; cross-references corrected; adjustments made to various dollar amounts; and method provided to periodically update Minnesota Statutes to reflect the current dollar amounts as adjusted.	5/22/13	
142	SF1589	Saxhaug	HF1184	Murphy, M.	Omnibus State Government Finance and Veteran Affairs Bill.	5/22/13	
144	SF1664	Latz	HF1840	Freiberg	State agency advisory inspections statute provision miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors corrected.	5/22/13	
Taxes							
3	HF0006	Lenczewski	SF0119	Skoe	Income, franchise, and property tax refund provisions for tax year 2012 conformed to the provisions of the Federal Aviation Administration Modernization and Reform Act of 2012 and the American Taxpayer Relief Act of 2012; and provisions changed relating to the Iron Range Resources and Rehabilitation Board.	2/21/2013	
143	HF0677	Lenczewski	SF0552	Skoe	Omnibus Tax Bill.	5/22/13	
Transportation							
12	SF0076	Fischbach	HF0146	Howe	Trunk Highway 23 designated as Officer Tom Decker Memorial Highway.	8/1/2013	
93	HF1451	Winkler	SF1305	Latz	I-35W bridge remnant steel disposition provided for.	05/21/13	
102	HF1304	Ward, J.E.	SF1133	Ruud	School bus regulation amended for special events.	05/21/13	
117	HF1444	Hornstein	SF1173	Dibble	Omnibus Transportation Finance Bill.	05/22/13	
127	SF1270	Dibble	HF1416	Erhardt	Omnibus transportation policy bill.	05/22/13	
140	HF0316	Mahoney	SF0300	Tomassoni	Motor vehicle titling fee transactions amended, and money appropriated.	5/22/13	