

# New Laws 2014

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## Agriculture - 2014

### Regular Session

# Agriculture 'Unsession' law harvest out old statutes

Sponsored by Rep. Jeanne Poppe (DFL-Austin) and Sen. Dan Sparks (DFL-Austin), a new law has 61 "unsession" provisions that were recommended by Gov. Mark Dayton in early March.

State lawmakers in 2008 passed legislation that required diesel fuel sold in Minnesota to contain at least 20 percent biodiesel, known as "B20," by May 1, 2015. The new law delays the mandate until May 1, 2018. The mandate for B10 and B20, when in effect, will also no longer apply in the month of October. That means the mandate will only apply from April to September. The new law also creates an exemption for companies that test engines for sale in states that don't have a biodiesel mandate.

In addition, the new law:

- removes language requiring the department to create an agricultural product processing and marketing grant program;
- eliminates inspection and licensing requirements for non-resident frozen food manufacturers;
- eliminates certain apple and potato grading statutes;
- repeals statute requiring the department to develop a list of manure management research and monitoring needs;
- repeals multiple sections of statute related to price discrimination in the purchase of farm products. The old law was redundant with other parts of state law;
- eliminates code for the Interstate Pest Control Compact;
- repeals authority for local governments to create ordinances to inspect milk, cream, butter and other dairy products sold within their jurisdictions and to inspect dairy plants, farms and herds;
- repeals uniform quality standards for milk, cream and fluid milk products; and
- repeals a ban on the sale of chemically treated grain if the toxic chemicals would be harmful to humans and animals. The old law was redundant to adulterated feed and grain statutes.

The new law is effective Aug. 1, 2014.

HF2746\*/SF2618/CH181

[HF2746\\*](#) / [SF2618](#) / [CH181](#)

House Chief Author: [Poppe](#)

Senate Chief Author: [Sparks](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Bonding - 2014

### Regular Session

# Nearly \$200 million to be spent on various state needs

Traditionally, a focus of a legislative biennium's second year is a capital investment law.

In addition to an \$846 million general-obligation bonding law, the 2014 Legislature passed a second law that spends nearly \$198.75 million from the state's projected \$1.23 billion budget surplus. The law is effective May 21, 2014.

"Over the past two years, we've traveled across the state to meet with local officials and find out more about many of the nearly \$4 billion in projects that were requested. The truth is, nearly every one of these projects would have been worthy of being funded. The projects that do make it into the final (law) will support the infrastructure that we need in place in order for us to be economically healthy and competitive, both now and in the future," Rep. Alice Hausman (DFL-St. Paul) said in a statement regarding both capital investment laws.

Hausman, chairwoman of the House Capital Investment Committee, sponsors the laws with Sen. LeRoy Stumpf (DFL-Plummer).

The cash law contains \$22 million of the approximately \$67 million needed to complete the Lewis and Clark Regional Water System that will help provide freshwater to parts of southwestern Minnesota where water supplies have dwindled.

The remainder of funding is included in the second omnibus tax law (HF3167), which allows Nobles and Rock counties and the cities of Luverne and Worthington to issue up to \$45 million in bonds. Debt service on the bonds would be funded two-thirds by the state and one-third by local communities. A current 0.5 percent sales tax in Worthington will be extended through 2039, and Luverne and the counties are authorized to impose a similar tax to fund the Lewis and Clark water project.

Also in the area of water, the law allocates \$200,000 for a water infrastructure study in Oslo and \$75,000 for a Red River of the North floodway hydraulic study for the Oslo area. (Sec. 11)

Nearly \$83.26 million in the cash law go to local projects, including \$35 million for a Mayo Civic Center expansion in Rochester, \$14.5 million for an events center and auditorium expansion in Mankato and \$11.56 million to expand the River's Edge Convention Center in St. Cloud.

Other local employment and economic development projects funded are:

- \$7.49 million to expand and renovate the Minnesota Children's Museum in St. Paul (this project also receives \$6.5 million in funding from general-obligation bonding);
- \$6.95 million to renovate the NorShor Theatre in Duluth;
- \$3.49 million to construct works and systems to transport water from the St. Louis River to the Spirit Mountain Recreation Area in Duluth;
- \$2.3 million to refurbish Wade Stadium in Duluth;

- \$1.1 million to construct infrastructure that will transport and treat water from Lake Superior through the Poplar River Valley for domestic, irrigation, commercial, stock watering and industrial users;
- \$250,000 for pre-design of a health and wellness center in Hermantown; and
- \$200,000 to construct necessary public infrastructure to open a planned business park to serve a major tenant in Sandstone. (Sec. 10)

The law contains \$30 million in local road improvement grants "for construction and reconstruction of local roads with statewide or regional significance or for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways." This includes a grant without a specified amount to Ramsey County for road improvements related to the Twin Cities Army Ammunition Plant project and \$250,000 for Nitché Lake Road improvements in Pine Lake Township. Nearly \$24.36 million is also allocated for local road improvement grants in the general-obligation bonding law.

To match federal money and to replace or rehabilitate local deficient bridges, the law allocates \$20.74 million, and \$1 million is designated "for infrastructure to increase safety and convenience for children to walk or bike to school." Nearly \$12.26 million is also allocated for local bridges in the general-obligation bonding law. (Sec. 7)

For environment and natural resources purposes, the law allocates \$7.5 million for sediment removal and cleanup of Fountain Lake and \$7.5 million "for the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage." Another \$4.5 million for this is included in the general-obligation bonding law. (Sec. 2)

Also in the law is:

- \$18 million to construct Phase I of a new health services unit, service corridor, mechanical building and security station at the St. Cloud prison along with designing Phase II for a new intake, warehouse and loading dock;
- \$3.8 million to construct a year-round event center at Giants Ridge in Biwabik;
- \$1.5 million for grants to improve air quality and eliminate R-22 refrigerant usage at indoor ice arenas;
- \$1.4 million for the Minnesota Historical Society to be allocated to county and local jurisdictions as matching money for historic preservation projects;
- \$325,000 for the Aitkin County Agricultural Society to construct a shared food service building;
- \$225,000 for the city of Cyrus to construct a facility to accommodate city hall with additional meeting space and the fire department; and
- \$225,000 to construct the All Veterans Memorial in Edina. (Secs. 3, 5-6, 8-9, 12-13)

HF1068\*/SF882/CH295

**[HF1068\\*](#) / [SF0882](#) / [CH295](#)**

**House Chief Author:** [Hausman](#)

**Senate Chief Author:** [Stumpf](#)

**Effective Dates:** 5/21/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Bonding - 2014

### Regular Session

# General-obligation bonding law contains \$846 million in spending

Finishing the State Capitol restoration, higher education facility upgrades and a remodeling of the state security hospital are among projects to be funded by an \$846 million general-obligation bonding law.

With low interest rates and favorable contractor pricing, some legislators and Gov. Mark Dayton expressed support for a total general-obligation bonding package that was in the \$1.2 billion range. However, that would have gone against a handshake agreement last year between legislative leaders that biennial bonding not exceed \$1 billion. A bonding law of just over \$150 million was passed in 2013.

However, construction funding this session will reach \$1.17 billion because the general-obligation spending is supplemented by nearly \$200 million in cash funding for projects. ([View](http://www.house.leg.state.mn.us/fiscal/files/bondingGF14.pdf) the spreadsheet with a full list of projects)

"There are a lot of good things, many of them a backlog from previous vetoes," Rep. Alice Hausman (DFL-St. Paul) said before the law was passed by the House. "The (law) is filled with lines that leverage other money: federal money, local money, private money."

Hausman and Sen. LeRoy Stumpf (DFL-Plummer) sponsor the law, which is effective May 21, 2014.

The largest chunk of the general-obligation law, \$126.3 million, is to finish restoration of the 109-year-old State Capitol.

A master renovation plan was approved in January 2012 by the Capitol Preservation Commission. It provided a conceptual approach to restoration and called for a December 2016 completion date.

Lawmakers approved \$37.4 million in 2012 to begin restoration and added \$109 million in 2013 for things like abatement and demolition in the basement and attic, exterior stone replacement and to begin work on the mechanical and electrical systems.

Two other Capitol Area memorials receive funding: \$450,000 to construct a Minnesota Hmong-Lao Veterans Memorial to honor Hmong-Lao veterans who were allied with American forces during the Vietnam War, and \$250,000 for improvements to the Minnesota Workers Memorial. (Art. 1, Sec. 12)

### Higher Education

The law calls for \$159.81 million in new spending for the Minnesota State Colleges and Universities system; however, just \$120.7 million is state funded because the system must pay the debt service on one-third of project costs that are not considered asset preservation.

The system receives \$42.5 million for asset preservation with the remaining appropriation divided up between 15 projects, including nearly \$35.87 million to construct a science education center at Metropolitan State University in St. Paul; \$25.8 million to construct a clinical sciences building at Minnesota State University, Mankato; and \$13.79 million for an addition to Memorial Hall, renovation of Decker Hall, demolition of Sanford Hall and to design the replacement of Hagg Sauer Hall at Bemidji State University.

Other campuses with specific projects are: Central Lakes College, Century College, Lake Superior College, Minneapolis Community and Technical College, Minnesota State College-Southeast Technical, Minnesota State Community and Technical College in Moorhead, Northeast Higher Education District, Northland Community and Technical College, Rochester Community and Technical College, St. Cloud State University, St. Paul College and Winona State University. (Art. 1, Sec. 3)

The University of Minnesota is to receive nearly \$119.37 million from the law, of which \$42.5 million is designated for asset preservation. Except for the amount for asset preservation, the appropriation to the university represents approximately two-thirds of estimated total project costs; the university must finance the remainder.

The Tate Laboratory of Physics building on the Minneapolis campus will be renovated with a \$56.7 million allocation, \$10 million is to be used for renovation and expansion of the wellness and recreational center on the Crookston campus, \$8.67 million is designated to construct a new bee research facility and renovate the aquatic invasive species research laboratory and \$1.5 million will be to design a new facility to meet the needs of the Swenson College of Science and Engineering on the Duluth campus. (Art. 1, Sec. 2)

### **Other Education**

Frechette Hall at the Minnesota State Academy for the Deaf will be demolished and a new boys' dormitory built with a \$10.65 million allocation. Asset preservation for the deaf and blind academies will be addressed with a \$700,000 appropriation.

The Red Lake School District is to receive \$5.49 million to construct a single kitchen and cafeteria to serve the high school and middle school. Since there is almost no taxable property within its borders, the district cannot rely on property taxes to pay for school buildings and must instead rely on state help for building needs.

Asset preservation at the Perpich Center for the Arts is funded at \$2 million, and the same amount is made available for statewide library construction grants. The law specifies that \$570,000 of the library funds go toward a renovation and expansion of the Jackson library, \$257,000 is to renovate the city library in Perham and \$50,000 is for capital improvements at the Bagley library. (Art. 1, Secs. 4-6)

### **Health and Human Services**

Constructing the first phase of a two-phase project "to remodel existing, and to develop new, residential, program, activity and ancillary facilities" at the state security hospital in St. Peter is financed with a nearly \$56.32 million appropriation. The funding also is to design the project's second phase.

Also at the St. Peter treatment center, construction of stage one of a three-phase project "to develop additional residential, program, activity and ancillary facilities" for the sex offender program is to be accomplished with a \$7.4 million appropriation.

Additionally, the law calls for \$6 million to construct and rehabilitate early childhood learning and child protection facilities, specifically \$3 million to renovate the early childhood center at the YWCA of Minneapolis. It also calls for \$6 million to construct an emergency shelter adjacent or proximate to the Dorothy Day Center in St. Paul, \$3.75 million to expand the St. David's Center for Child and Family Development in Minnetonka and \$3 million for a new building in Virginia to house the Arrowhead Economic Opportunity Agency and Range Mental Health Center. (Art. 1, Sec. 18)

### **Agriculture, Environment and Natural Resources**

The Department of Natural Resources is to receive \$63.48 million, of which \$17.67 million is designated for trail acquisition, including 13 specific projects. Those include completing the Heartland Trail from Detroit Lakes to Frazee, paving approximately 28.5 miles of the Luce Line Trail from the Carver-McLeod County border to Cedar Mills in Meeker County, developing approximately 11 miles of the Shooting Star Trail from Rose Creek to Austin and developing the Minnesota Valley Trail from the Bloomington Ferry Bridge to the Minnesota Valley Wildlife Refuge Visitor Center in Bloomington.

Other law provisions include: \$14 million to develop Lake Vermilion State Park; \$10 million for DNR asset preservation; \$6.5 million for repair or renovation of the Champlin Mill Pond, Rapidan and Lake Byllesby dams; \$2.96

million to provide for reforestation and stand improvement on state lands; \$2 million for fish hatchery improvements; \$500,000 for removal of sedimentation in Lake Zumbro; and \$250,000 to improve campground utilities in the Red River Recreation Area in East Grand Forks.

The law provides \$4.5 million in flood hazard mitigation with language to address the Moorhead and Montevideo area needs first; the cash funding law also contains \$7.5 million for flood hazard mitigation.

More than \$18.33 million is provided for grants to eligible municipalities under the wastewater infrastructure funding program and \$12 million is to be used to match federal grants for the clean water revolving fund and the drinking water revolving fund for capital projects.

Additionally, \$4.5 million is provided the Big Lake Area Sanitary District "to construct a pressure sewer system and force main to convey sewage to the Western Lake Superior Sanitary District connection in the city of Cloquet," \$1.43 million is to install new storm water lines to prevent flooding in Truman and \$1.17 million is provided for a water main replacement in Rice Lake Township.

Of the \$8 million for the Board of Water and Soil Resources, \$6 million is for the Reinvest in Minnesota Reserve Program that acquires conservation land easements to, in part, enhance wetlands, rivers and streams to protect soil and water quality, support fish and wildlife habitat and provide other public benefits. The remaining \$2 million is for a local government roads wetland replacement program to replace wetlands lost to local government public transportation projects.

The law also provides \$2.63 million to construct a waste transfer facility and material recovery facility in Becker, and \$203,000 to reconstruct the feed storage and grinding rooms at a Department of Agriculture laboratory. (Art. 1, Secs. 7-10, 20)

## **Transportation**

Checking in at \$57.26 million, the transportation portion of the law includes \$24.36 million for local road improvement fund grants. Two projects are specified to receive funding: the U.S. Highway 10 and County State-Aid Highway 83 project in Anoka County and the 77th Street underpass project in Richfield. The cash funding law contains \$30 million in local road improvement fund grants.

Of the \$12.26 million for local bridge replacement and rehabilitation, \$11.75 million is to restore the Franklin Avenue Bridge in Minneapolis. The cash funding law contains \$20.7 million in local bridge replacement and rehabilitation grants.

The law also includes money for two new airport terminals: \$5 million at the Range Regional Airport in Hibbing and \$2.2 million at the Falls International Airport in International Falls. Port development assistance is funded at \$2 million in the law.

The Metropolitan Council's Transit Capital Improvement Program will receive \$15 million for grants to metropolitan area political subdivisions, including construction of the Lake Street and Interstate 35W transit station and to provide direct access to Highway 77 (Cedar Avenue) from the Cedar Grove Transit Station in Eagan.

Access and circulation improvements are expected to be achieved at Como Regional Park with \$5.4 million. (Art. 1, Secs. 16-17)

## **Economic Development**

A number of community specific projects made it into the law with the largest four being \$21.5 million to reconstruct Nicollet Mall in downtown Minneapolis, \$19.5 million to relocate utilities for the Highway 53 reroute in Virginia, \$9 million to renovate the Twin Cities Public Television Building in St. Paul and \$6.52 million to renovate the Minnesota Children's Museum in St. Paul. That project also received \$7.49 million in the cash funding law.

Other local funding includes:

- \$5.35 million for renovation of the Chatfield Center for the Arts;
- \$5 million to renovate the Palace Theater in St. Paul;
- \$4 million to construct an 1,100-seat concert hall at the Ordway Center for the Performing Arts in St. Paul;
- \$3.9 million to renovate the Myles Reif Center for the Performing Arts in Grand Rapids;
- \$3.5 million for Lake Elmo to extend approximately 2.5 miles of trunk water main and associated improvements to facilitate development along Interstate 94;
- \$2.5 million to renovate a Park Rapids armory for use as a regional arts and events center;
- \$1.56 million for the River Renaissance project in Red Wing, including replacement of a harbor retaining wall and construction of a segment of the Riverwalk Trail;
- \$1.4 million to redevelop the Jefferson High School site in Alexandria;
- \$600,000 to construct a municipal building in Cosmos to house the public library, community meeting room and city offices;
- \$400,000 to improve Second Street in Fosston to allow for future development; and
- \$78,000 to rehabilitate a historic bridge over the Crow River in Hanover. (Art. 1, Sec. 21)

**What else is in the law:**

- \$20 million to rehabilitate and preserve public housing;
- \$12 million for the Minnesota Zoo: \$7 million for asset preservation and \$5 million to renovate and extend the upper and lower plazas and for design of Heart of the Zoo II project;
- \$10.56 million for renovation of the Oliver H. Kelley Farm Historic Site in Elk River;
- \$8.5 million to renovate the Minneapolis Sculpture Garden, including irrigation and drainage improvements;
- \$5.38 million to construct a perimeter fence at the state women's prison in Shakopee;
- \$4.3 million to construct the Southwest Regional Amateur Sports Center in Marshall;
- \$3.2 million for necessary infrastructure to expand tournament fields at the National Sports Center in Blaine;
- \$2 million in grants to metropolitan area cities for improvements in municipal wastewater collection systems;
- \$1.65 million to upgrade the East Metro Public Safety Training Center in Maplewood;
- \$1.46 million to design a Health and Emergency Response Occupations center in Cottage Grove;
- \$1.24 million to renovate the Brooklyn Park Armory;
- \$220,000 for Montgomery to design a public safety facility for fire and ambulance service; and
- \$150,000 to construct a floating boardwalk and pave two trails at the Oakdale Nature Preserve. (Art. 1, Secs. 11, 13-15, 17, 20)

The law cancels \$10.85 million in previous bond proceeds fund appropriations for projects that are completed or amounts otherwise identified by agencies as unneeded. It also makes a number of mostly technical and clarifying changes to previous year allocations, such as changing the use of an allocation if money is remaining after the designated project is complete. (Art. 1, Sec. 27; Art. 2, Secs. 10-19)

To the extent practicable, a public entity receiving an appropriation in the law must ensure the facilities are built with American-made steel. (Art. 2, Sec. 22)

HF2490\*/SF2605/CH294

[HF2490\\*](#) / SF2605 / CH294

House Chief Author: [Hausman](#)

Senate Chief Author: [Stumpf](#)

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\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Budget - 2014

### Regular Session

# Lawmakers increase General Fund spending by \$263 million

Lawmakers enacted an omnibus supplemental budget law that increases spending for almost all aspects of state government courtesy of the \$1.23 billion surplus that was forecast in February for the remainder of the 2014-2015 biennium.

Sponsored by Rep. Lyndon Carlson Sr. (DFL-Crystal) and Sen. Richard Cohen (DFL-St. Paul), the new law appropriates \$262.7 million from the General Fund for the current biennium and anticipates \$842 million in 2016-2017. In conference committee, legislative leaders assigned budget targets for articles in the bill that covered E-12 education, higher education, health and human services, agriculture and environment, jobs and economic development, judiciary and public safety, transportation and state government.

The new law takes effect July 1, 2014, unless otherwise noted.

HF3172\*/SF2785/CH312

### Health and Human Services (Arts. 23-31)

Health and human services contains the largest amount of spending. The law spends \$104 million for the current biennium that ends June 30, 2015. In the upcoming 2016-2017 biennium, the bill provides for \$649 million from the General Fund. The tails dollar figure includes \$403 million for Medical Assistance that was previously going to be paid for by the Health Care Access Fund.

The biggest line item is \$80 million to give home and community-based service providers a 5 percent rate increase for Fiscal Year 2015. The rate increase is permanent and is allotted \$93 million in 2016 and \$99 million in 2017.

The law also rebases hospital payments for Medicaid beneficiaries for the first time since 2002. To help with the uncertainties of how rebasing will affect hospitals, the law provides \$7.2 million by speeding up the repeal of the 10 percent fee-for-service rate cut for Medical Assistance patients that was made in 2011. The Department of Human Services is directed to provide two reports to the Legislature on Minnesota hospitals' financial impact from rebasing.

Nursing homes are addressed in several sections of the bill. The law gives nursing homes annual rate increases over three years as the new hourly minimum wage increase is phased in. Future rate increases will track with the inflationary increases that were passed in the minimum wage law, HF2091. The rate increase costs \$636,000 for Fiscal Year 2015 and \$5 million for the 2016-2017 biennium. Another nursing home provision provides \$1.5 million in ongoing funding for critical access nursing facilities. The law has an exception to the moratorium on certification of nursing home beds that allows for up to \$1 million in projects for Fiscal Year 2015.

Other health and human service provisions include:

- providing \$10 million for a salary supplement for State Operated Services employees, specifically those at the Minnesota Security Hospital in St. Peter;

- creating the Healthy Housing program at the Department of Health and providing \$300,000 a year in permanent funding so the department can make grants to local entities to address housing-specific health threats;

- providing \$2.5 million for respite service development grants;
- providing \$1 million in permanent funding to the Health Department for the Safe Harbor for Sexually Exploited Youth program;
- providing \$1 million in permanent funding to the Department of Human Services for the Homeless Youth Act;
- providing \$1.4 million for compliance with the Jensen Settlement. The 2011 settlement requires the implementation of the Minnesota Olmstead Plan to integrate people with disabilities into the community;
- providing \$501,000 in one-time funding to the Health Department for grants to address health equity issues, with a focus on refugee populations. A portion of the money will address issues facing East African communities;
- simplifying human services administration to provide uniformity for eligibility requirements for several public assistance programs;
- creating the Legislative Health Care Workforce Commission that will consist of five members from both the House and Senate and will make recommendations on how to address challenges throughout the state on achieving an adequate health care workforce. A final report is due the Legislature by Dec. 31, 2016. The commission is effective May 21, 2014, and expires Jan. 1, 2017;
- charging the health and human services commissioners to establish the Health Care Homes Advisory Committee to advise the commissioners on the ongoing development of health care homes;
- establishing a working group for mentally ill offenders who are arrested or are subject to arrest. The working group will consider if there should be a central facility where arrested offenders with mental illnesses should be taken. The working group is effective May 21, 2014, and is required to report to the Legislature by Jan. 1, 2015;
- directing the Human Services Department to devise a proposal to the Legislature to make detoxification services covered under Medical Assistance;
- setting up transition plans that ensure mental health patients continue to receive care when their mental health provider closes down. It requires counties to provide 90 days notice before terminating a contract with a mental health center or community support program; and updating the administration of non-emergency medical transportation.

#### **Agriculture and Environment (Arts. 12-14)**

Agriculture and environmental programs will receive a \$10.5 million boost from the General Fund for the current biennium and are slated to get \$1.6 million in the tails.

Approximately \$4 million is appropriated from the Environmental Fund to the Pollution Control Agency in 2015 for SCORE grants to counties to expand recycling. SCORE was enacted by former Gov. Rudy Perpich and stands for Governor's Select Committee on Recycling and the Environment. SCORE's base is increased by \$3 million each year from the Environmental Fund.

Farmers and food processors will be able to receive \$2 million in one-time incentives to give surplus food to food shelves. The initiative is designed to deliver to those in need the fruits, vegetables and other food that farmers and agricultural processors would otherwise discard or plow under for economic reasons. The Department of Agriculture also gets \$200,000 in one-time funding to award to a public college or university for research into the porcine epidemic diarrhea virus. The law has several sections dealing with pollinators and creates a compensation program for the department to pay beekeepers whose colonies are killed by pesticides in certain circumstances.

The Department of Natural Resources gets \$1.6 million to improve its state parks and \$2 million to provide shooting sports facilities grants. The DNR also gets \$400,000 in one-time funding for grants to local chapters of the Let's Go Fishing program. The law requires the DNR to waive water use permit fees for those that use water to treat a water quality issue and then return it to its source.

The law provides ongoing General Fund support to the Board of Animal Health for a new program for inspecting and licensing dog and cat breeders. This money will supplement the fees and penalties the board collects from dog and cat breeders.

The University of Minnesota receives nearly \$5 million combined from the General Fund and the Environment and Natural Resources Trust Fund to create the Invasive Terrestrial Plants and Pests Center. The university also gets \$1 million in one-time funding for the Forever Green Agricultural Initiative, which researches ways that perennial and winter annual crops can be commercially successful.

The Metropolitan Council receives \$400,000 from the Clean Water Fund to design long-term solutions for the declining water supply in the northeast metro.

The law increases the recycling goal in the Twin Cities from 50 percent of its solid waste to 75 percent.

### **Jobs and Economic Development (Arts. 2-3)**

The jobs and economic development area spends \$30 million in the current biennium. The net General Fund impact is \$19.8 million because the law assumes \$10.5 million will be transferred from an anticipated surplus in the Assigned Risk Plan that's part of the state Workers Compensation Insurance program.

The biggest ticket item is \$20 million in one-time money for grants to improve broadband in the state. The money will be available until June 30, 2017. As part of the broadband effort, the law creates the Border-to-Border Broadband Development Grant Program to expand services in unserved or underserved parts of the state.

The law provides \$475,000 on a one-time basis to each of six initiative foundations in different regions of the state for revolving loans and other lending programs. It also provides \$2.2 million in one-time funding for Greater Minnesota Business Development Public Infrastructure Grant Program that's available until June 30, 2017.

The law appropriates \$1.05 million in one-time money from the Workforce Development Fund for job training programs in various parts of the state. It also requires the Department of Employment and Economic Development to establish a "uniform outcome measurement and reporting system" for adult workforce programs that are funded out of the Workforce Development Fund.

The law provides \$2.2 million to the Housing Finance Agency in grants for up to two housing projects.

The law carves out \$500,000 from the House Challenge Program to help families that have been evicted due to having a disabled child.

### **Judiciary and Public Safety (Arts. 5-8)**

Judiciary and public safety was given \$35 million from the General Fund for the current biennium and \$39 million for the next biennium.

The Department of Corrections gets \$16.2 million in base funding for negotiated staff pay increases. It also gets \$11 million in one-time money to handle unexpected growth in the prison population.

The Office of Justice Programs at the Department of Public Safety will receive \$1.3 million. That includes \$500,000 for youth intervention programs and \$500,000 for emergency shelter programs for victims of domestic violence and trafficking.

The law creates a Disaster Assistance Contingency Account for the department to pay toward the non-federal share of disaster assistance. The law places \$3 million into the account.

The Peace Officer Standards and Training Board receives \$50,000 in Fiscal Year 2015 for training in the use of "crisis de-escalation techniques" to use with Minnesota veterans after they've returned from active military service in a combat zone.

## **Higher Education (Art. 1)**

Higher education receives \$22 million for the current biennium and \$49.7 million in the tails. The Minnesota State Colleges and Universities system is given \$17 million in increased base funding for costs associated with employee contracts.

The University of Minnesota will receive \$4.5 million for its partnership with the Mayo Clinic for research into regenerative medicine. The partnership will then receive \$4.35 million annually starting in Fiscal Year 2016.

The law requires colleges to report to the secretary of state about instances in which students die or have accidents and illnesses while participating in study abroad programs. The reporting requirement takes effect Aug. 1, 2014. The law also directs the Office of Higher Education to use its existing funds to assess the "appropriate state regulation" of study abroad programs, with a report to higher education legislative committees due by Feb. 1, 2015.

The law allows military veterans to receive the resident tuition rate at Minnesota public higher education institutions. This is effective for academic terms beginning after Aug. 1, 2014.

The law directs MnSCU to develop a plan to create "multi-campus articulation agreements" that help students transfer credits. MnSCU is required to report to higher education legislative committees on the plan by March 15, 2015.

The law allows the Office of Higher Education to refinance student and parent loans, with certain limitations. Refinancing may not occur before June 1, 2015, and the office is required to report to the Legislature on its plan and proposed terms and conditions by Feb. 1, 2015.

The law additionally appropriates \$3.5 million in additional base funding to the University of Minnesota, through 2041. Pending approval by the Board of Regents, the university has agreed to construct a new Bell Museum of Natural History and a planetarium on the St. Paul campus.

## **E-12 Education (Arts. 15-22)**

Out of \$54 million allotted from the General Fund for E-12 education, \$23 million goes to a \$25 per pupil increase in the basic education formula. The formula increase is ongoing and commits the state to \$52.5 million for the upcoming 2016-2017 budget period. Overall the education articles foresee \$105 million in spending in the tails.

The law provides \$9 million to implement the new teacher evaluation system in school districts that don't participate in the Q-Comp alternative teacher compensation program.

The law spends \$4.9 million to expand eligibility for English language revenue from five to six years.

A cap on early learning scholarships is removed and the law increases funding for the scholarships by \$4.7 million, and increases funding for early childhood family education by the same amount.

The law provides \$3.5 million for school lunch and food storage and provides \$569,000 so that all kindergartners can have a school breakfast.

Advertising and recruiting of Post Secondary Enrollment Options will be limited to students in school districts with 700 or more students in grades 10 through 12. The provision repeals a portion of the omnibus education policy law, HF2397, which lifted the so-called "Gag Rule" on colleges being able to advertise PSEO to high school students.

The law has sections that address the discharge of a teacher due to child mistreatment.

The Department of Education is directed to contract with at least one provider to make available information technology education opportunities for high school students.

The law directs the department to develop a statewide online system designed to reduce the paperwork burden for special education teachers.

### **Transportation (Arts. 9-11)**

Transportation receives \$15 million from the General Fund. The bulk of General Fund transportation was enacted in the cash investment law, HF1068.

The law includes \$6.5 million for Greater Minnesota transit, \$2 million for railroad crossing safety and \$2 million for Capitol security. The law also spends \$129 million in one-time money from the Trunk Highway Fund, which is supported by gas taxes, motor vehicle sales taxes and license tab fees. For Fiscal Year 2015, the Corridors of Commerce program gets \$25 million in trunk highway dollars. Also, \$20 million from the Trunk Highway Fund is appropriated for Fiscal Year 2014 for snow and ice removal and \$10 million goes to winter-weather related highway repair.

The law creates a Railroad and Pipeline Safety Council for the Department of Public Safety. The account is given a one-time transfer of \$1.6 million. The law establishes rules for how railroad companies must act after they've spilled hazardous substances. It also provides guidance to the Pollution Control Agency for preparing to deal with oil and hazardous substance spills by railroads.

The law changes statute related to speeding in a work zone and creates a new fine.

The law allows the Department of Transportation to increase the speed limit on two-lane highways from 55 mph if the increase can be "reasonably and safely" done.

### **State Government (Art. 4)**

A Legislative Water Commission is created that consists of six members of both the House and Senate that will assist in crafting water policy legislation. The commission expires July 1, 2019.

The law directs state licensing boards to expedite licensing or certification of current and former military personnel to perform professional services.

**[HF3172\\*](#) / [SF2785](#) / [CH312](#)**

**House Chief Author:** [Carlson](#)

**Senate Chief Author:** [Cohen](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Business and Commerce - 2014

### Regular Session

# Corporation designation addresses social purpose model

Some corporations want to be more than just about making money â€” they seek a social purpose. A new law will adjust current law to accommodate this niche business model.

Rep. John Lesch (DFL-St. Paul) and Sen. John Marty (DFL-Roseville) sponsor the law, which takes effect Jan. 1, 2015.

Called the Minnesota Public Benefits Corporation Act, the law will lay out the definition of a general benefit corporation, requirements of purpose and director conduct. It will also require an annual report to the secretary of state pointing out how it addressed its social goals.

Lesch said the law will create an overlay to the laws governing for-profit corporations. He said that 21 other states have accommodated this model,

He said that people are willing to invest in these endeavors, but the state is behind the curve in allowing for this type of corporate structure, forcing some to incorporate in other states.

HF2582\*/SF2053/CH172

[HF2582\\*](#) / [SF2053](#) / [CH172](#)

House Chief Author: [Lesch](#)

Senate Chief Author: [Marty](#)

Effective Dates: 1/1/2015 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Continuing ed requirements updated for certain professionals

Engineers, architects, land surveyors and related professionals receive the spotlight in a law that updates work standards, clarifies a job description and eliminates obsolete language.

Rep. Raymond Dehn (DFL-Mpls) and Sen. Roger Reinert (DFL-Duluth) sponsor the law, which takes effect Aug. 1, 2014.

Changes in continuing education requirements will apply to licensed or certified "architects, professional engineers, land surveyors, landscape architects, geoscientists and interior designers" and consist of the following:

- of the 24 hours of continuing education required every two years, two of these hours will have to be in ethics;
- professionals will no longer be able to carry over to future two-year periods some types of continuing education activities, including grading or writing professional examinations, participating in public service boards or commissions and receiving a patent;
- those with an expired license or certificate will only be able to fulfill up to 48 hours in past continuing education requirements in addition to other conditions currently in law; and
- license and certificate holders will have to keep continuing education records for four years instead of two.

Professional engineers currently use the initials "P.E." or "PE" to refer to their position. The new law specifies that only licensed professional engineers will be allowed to use the initials.

The law also:

- strikes out old language regarding the creation of the "Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design";
- removes references to tasks related to past deadlines or that the board no longer performs;
- clarifies the job description of a land surveyor; and
- allows the board to issue "cease and desist" orders to people who use professional titles without authorization.

HF2670\*/SF1790/CH236

[HF2670\\*](#) / [SF1790](#) / [CH236](#)

House Chief Author: [Dehn, R.](#)

Senate Chief Author: [Reinert](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Membership of the state's cosmetology board updated in new law

The state's cosmetology board will expand to include instructors and others, under a new law.

Sponsored by Rep. Mark Uglen (R-Champlin) and Sen. Alice Johnson (DFL-Spring Lake Park), the new law, effective Aug. 1, 2014, would change the membership of the Board of Cosmetologist Examiners to include seven members, all appointed by the governor: two cosmetologists, two school instructors, one esthetician, one nail technician and one public member. Under the previous law, the board had only four members — three cosmetologists and one public member — each appointed by the governor.

The law also:

- modifies the definition of "licensed practice" to include a cosmetologist employed in the office of a licensed physician;
- deletes obsolete language requiring certain board action prior to Jan. 1, 2014;
- allows a person with a current license from another state to obtain a license from Minnesota by passing both a board-approved theory and practice-based examination and the Minnesota-specific written operator examination for cosmetology, nail technician or esthetician. Under current law, the person needed to only pass one of these two examinations;
- places a three-year limit on recognition of a professional association that offers continuing education. Renewal is subject to approval of their curriculum. The board may revoke recognition at any time for just cause. The professional organization must be organized as a Minnesota nonprofit organization. This provision took effect April 12, 2014;
- narrows the services that may be performed for compensation offsite from a licensed salon to the practice of nonpermanent manipulation of hair, the application of nail polish and makeup;
- adds people employed as a cosmetologist in connection with medical care to those who are permitted to offer cosmetology services for compensation;
- requires the board to establish infection control standards by rule. This replaces the current law for the board to establish health and safety standards;
- contains provisions restricting salons in private residences. These restrictions were moved from a previous section and are not a part of the new law;
- provides that licenses issued to postsecondary licensed cosmetology schools must include a specified designation;
- establishes conditions for a licensed cosmetology school, including restrictions on student admissions and licensing by the Office of Higher Education;
- eliminates an exemption from the requirement to display a license when a licensed cosmetologist practices cosmetology in the homes of customer or patrons;

- modifies the grounds on which the board can take disciplinary action against a licensee;
- authorizes the board to adopt rules to administer this act using exempt rulemaking procedures, but provides for these rules to be permanent, rather than temporary; and
- repeals requirements that the board: (1) provide customer access through a website to provide feedback on interaction with the board and its staff; (2) record each complaint, its response, and time elapsed in responding and resolving each complaint; (3) submit an annual report to the Legislature on its customer service training and complaint resolution activities; and (4) adopt rules to permit felons to be licensed.

HF2762/SF1762\*/CH162

**[SF1762\\*](#) / [HF2762](#) / [CH162](#)**

**House Chief Author:** [Uglem](#)

**Senate Chief Author:** [Johnson](#)

**Effective Dates:** Sec. 1-4, 6-15: 8/1/2014 Sec. 5: 4/12/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Business and Commerce - 2014

### Regular Session

# New law exempts threading from licensure

Those who perform hair removal using threading will be exempt from licensure.

Sponsored by Rep. Linda Slocum (DFL-Richfield) and Sen. James Metzen (DFL-South St. Paul), the new law, effective Aug. 1, 2014, will exempt threading from the cosmetology licensure, classifying it as an unregulated service. The Board of Cosmetologist Examiners may use the good cause exemption under current state statute.

Threading is described as "a method of removing hair from the eyebrows, upper lip, or other body parts by using cotton thread to pull hair from follicles." While threading does not require the use of chemicals or waxes, it may include the use of over-the-counter astringents, gels and powders; and possibly tweezers and scissors.

The law also exempts threading from a salon license if no other services are performed at the location.

HF2659\*/SF2110/CH169

[HF2659\\*](#) / [SF2110](#) / [CH169](#)

House Chief Author: [Slocum](#)

Senate Chief Author: [Metzen](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Contractors will be required to certify compliance with laws

Contractors wishing to do construction work for the state or another government entity (like a city or county) will be required to verify compliance with certain laws.

Sponsored by Rep. Mike Sundin (DFL-Esko) and Sen. Tom Saxhaug (DFL-Grand Rapids), a new law effective Jan. 1, 2015, will require general contractors and subcontractors who bid for government construction work on projects estimated to cost more than \$50,000 to sign a sworn statement verifying that they are in compliance with various laws. For example, in addition to prevailing wage, the law requires compliance with workers compensation, unemployment compensation, registering for tax purposes, and other wage and hour law

Conditions that would cause a contractor to be excluded from eligibility for public construction work include:

- having underpaid in excess of \$25,000 of statutorily required wages or penalties within a three-year period;
- being issued an order to comply with specified wage payment laws by the commissioner of labor and industry;
- being issued with at least two letters by the Department of Transportation within a three-year period because of underpayment; or
- being found liable for underpayment of wages or misrepresenting a construction worker as an independent contractors.

HF1984\*/SF1919/CH253

[HF1984\\*](#) / [SF1919](#) / [CH253](#)

House Chief Author: [Sundin](#)

Senate Chief Author: [Saxhaug](#)

Effective Dates: 1/1/2015 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# New subscription service for those seeking bulk data

A northern Minnesota weekly newspaper sought records from a private company related to the design services it had contracted with the local school district. The request was denied, and a series of court actions ensued that resulted in a 2013 Minnesota Supreme Court opinion that some say drilled holes into the state's Data Practices Act.

Rep. John Lesch (DFL-St. Paul) and Sen. Kari Dziedzic (DFL-Mpls) sponsor a law that aims to clear up an ambiguity in statute as it relates application of the data practices act to private contractors performing a government function while under contract. The new law states that these contractors are still subject to the act, even if the contract does not include the notification terms required by law.

As the bill moved through the process, several data practices provisions were added with one garnering a line-item veto from Gov. Mark Dayton.

The new law establishes a new subscription service and an accompanying set of fees for those wanting to access certain motor vehicle and driver records in bulk. The money will go into a new data security revenue account and used to offset the costs of generating the records.

A plan for the funds to be appropriated to the legislative auditor for oversight relating to the security of the stored data was vetoed by Dayton, who expressed concern this provision lacked specificity on how the office would use the funds.

"It is not fiscally responsible to appropriate an ongoing amount of money without articulating the cost to perform the new duties outlined in the law," he wrote in his veto letter. "By next session, the Department of Public Safety will be better able to estimate the revenue generated to the data security account, and the Legislative Auditor will have time to estimate the cost to provide oversight relating to the security of data stored by all state agencies," Dayton continued.

The remaining provisions in the new law are effective Jan. 1, 2015.

HF2167/SF1770\*/CH293

[SF1770\\*](#) / [HF2167](#) / [CH293](#)

House Chief Author: [Lesch](#)

Senate Chief Author: [Dziedzic](#)

Effective Dates: **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Real estate broker law receives long awaited updates

Sponsored by Rep. Leon Lille (DFL-North St. Paul) and Sen. Vicki Jensen (DFL-Owatonna), a new law updates technical language and makes conforming changes. It includes provisions that:

- allow a buyer's broker agreement to include an up to two-year override clause in conjunction with the sale or purchase of a business;
- update the definition of "primary broker" to include each officer of a limited liability company who is individually licensed to act as a broker on behalf of the company;
- require advertising by a licensed real estate agent to more prominently display the brokerage name than the licensee's name and deletes a requirement that the licensee identify as either a broker or sales people in advertising;
- allow licensees to receive compensation when authorized in writing by the broker to whom they are or were licensed at the time of a transaction; and
- permit the transfer of earnest money as defined in agreement of the parties involved in a transaction. Current law requires earnest money be deposited in the listing broker's trust account within three days of delivery of the check. If a separate agreement is struck, the funds must be deposited within three days of receipt or final acceptance of the purchase agreement, whichever is later.

HF2694\*/SF2340/CH199

[HF2694\\*](#) / [SF2340](#) / [CH199](#)

House Chief Author: [Lillie](#)

Senate Chief Author: [Jensen](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Law toughens sales representative agreement statutes

A new law makes it harder for sales representative agreements to skirt the state laws governing them.

Sponsored by Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Ron Latz (DFL-St. Louis Park), the law adds statutory language governing sales representative agreements that bar manufacturers, wholesalers, assemblers and importers from adding to their agreements that the laws of another state apply to their contract.

It also prohibits agreements from stating that state law relating to the termination of these agreements is inapplicable. Under the law, those that do will be void. The law applies to sales representative agreements entered into, renewed or amended Aug. 1, 2014, or later.

HF2413/SF2108\*/CH165

[SF2108\\*](#) / [HF2413](#) / [CH165](#)

House Chief Author: [Schoen](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Minnesota Business Corporation Act changes become law

Effective Aug. 1, 2014, a largely technical law will update the Minnesota Business Corporation Act.

Sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Scott Newman (R-Hutchinson), the law will allow for the expanded use of cross-border conversions. Typically, a company is formed as an LLC, or limited-liability company, before possibly becoming a corporation down the road. Current statute allows changes between the two forms for Minnesota entities, but not for Minnesota entities and entities of other states. The law will allow the expanded version of conversions from one form to another, which is allowed in most other states.

A change to help business transactions will formalize a process for pre-clearing of documents filed with the secretary of state's office.

Oftentimes in significant corporate transactions, such as mergers or large financing projects, both sides want to know prior to closing that the documents to be filed will be approved. The office has informally done this service for members of the bar association and business interests. Under the law, the office will review documents in advance of the actual filing. A nonrefundable \$250 fee will be charged with the money credited to the Uniform Commercial Code account.

HF2190\*/SF1979/CH170

[HF2190\\*](#) / [SF1979](#) / [CH170](#)

House Chief Author: [Rosenthal](#)

Senate Chief Author: [Newman](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Business and Commerce - 2014

### Regular Session

# Commerce act provides risk management requirements

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. James Metzen (DFL-South St. Paul), a new law, which has various effective dates, creates the Risk Assessment and Own Risk and Solvency Assessment Model Act, which provides requirements for maintaining a risk management framework, completing an Own Risk and Solvency Assessment (ORSA), and gives guidance and instructions for filing an ORSA Summary Report with the commissioner of commerce. This part of the law takes effect Jan. 1, 2015.

This law also:

- requires insurers to maintain a risk management framework to assist the insurer or the insurer's insurance group;
- requires that an insurer, or the insurance group in which the insurer is a member, regularly conduct an ORSA consistent with the ORSA Guidance Manual. Requires that an ORSA be conducted at least annually, or more frequently when there have been significant changes in its risk profile;
- requires that an insurer submit an ORSA Summary Report upon the commissioner's request and no more often than once per year. Provides details, including attestation and alternative compliance;
- specifies exemptions from the ORSA requirements, including exemptions based on the insurer's annual premium levels, those of a group of which the insurer is a member, or a waiver based on unique circumstances;
- requires that the ORSA summary report be prepared by the insurer consistent with the ORSA Guidance Manual. The insurer must maintain the documentation and supporting information, which is maintained by the insurer but is required to be available upon examination or request by the commissioner;
- specifies the classification protection and use of information by the commissioner; the testimonial privilege; the use of information by the commissioner; the testimonial privilege in a private civil action; sharing of information by the commissioner; and classification, protection and use of information by others; and
- provides a financial penalty for an insurer that fails to file the ORSA summary report as required.

HF2853\*/SF2347/CH198

[HF2853\\*](#) / [SF2347](#) / [CH198](#)

House Chief Author: [Atkins](#)

Senate Chief Author: [Metzen](#)

Effective Dates: Various **Effective Dates**: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Recycling must increase for building owners

Sponsored by Rep. Clark Johnson (DFL-North Mankato) and Sen. Alice Johnson (DFL-Spring Lake Park), a new law, effective Jan. 1, 2016, will require public entities and owners of commercial buildings who contracted for four or more cubic yards of solid waste collection per week, to also collect at least three recyclable materials.

Other provisions of the law will require state agencies to recycle at least 60 percent of the solid waste generated by each agency and send a progress report to the Pollution Control Agency, and ban sharps from recyclable materials, effective May 10, 2014.

HF855/SF663\*/CH225

[SF0663\\*](#) / HF0855 / CH225

House Chief Author: [Johnson, C.](#)

Senate Chief Author: [Johnson](#)

**Effective Dates:** Sec. 1-3: 8/1/2014 Sec. 4: 1/1/2016 Sec. 5: 5/10/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Investment reports information expanded

Administrators of post-employment benefit trusts for public entities, governments and other political subdivisions will need to follow new annual investment reporting requirements.

Under the new law sponsored by Rep. Mary Murphy (DFL-Hermantown) and Senate President Sandy Pappas (DFL-St. Paul), the first of such reports will be due by Oct. 25, 2015. The law is effective Aug. 1, 2014.

The new reports will include information about the trust regarding market value, contributions and withdrawals, annual rates of return and administrative fees and costs.

The reports will need to follow industry standards established by the CFA Institution, an organization of investment professionals.

HF2945/SF2343\*/CH307

[SF2343\\*](#) / HF2945 / CH307

House Chief Author: [Murphy, M.](#)

Senate Chief Author: [Pappas](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Design professionals seek changes to contract provisions

The process of constructing a bridge, road or even a house requires that the parties work in unison toward successful completion of the project.

Insurance policies and contracts are all part of the process. But sometimes design professionals are asked to enter into contracts where they may be required to defend and indemnify others for their own negligence. This type of insurance doesn't exist, according to Rep. Melissa Hortman (DFL-Brooklyn Park). Along with Sen. Ron Latz (DFL-St. Louis Park), she sponsors a new law that will allow for indemnification clauses in contracts, only if the insurance can be obtained.

The law will apply to contracts related to maintenance or improvement of real property, highways, roads or bridges. However, contracts subject to the laws and legal recourse in another state will be void and unenforceable.

The law is effective Aug. 1, 2014.

HF2090\*/ SF1757/CH257

[HF2090\\*](#) / [SF1757](#) / [CH257](#)

House Chief Author: [Hortman](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Some business procedures streamlined

The Office of the Secretary of State provides several business services, and a new law allows for updating of some procedures to accommodate electronic communications.

Sponsored by Rep. Chris Swedzinski (R-Ghent) and Sen. Lyle Koenen (DFL-Clara City), a new law will allow for electronic distribution of lists used by the Department of Agriculture to track information on farm liens. This change results in the need to eliminate statutory references regarding establishment of satellite offices to maintain and distribute the lists. The offices were never created and now may not be needed because of the efficiencies hoped to be gained by the use of electronics.

The law has various effective dates.

HF2989\*/SF2729/CH283

[HF2989\\*](#) / [SF2729](#) / [CH283](#)

House Chief Author: [Swedzinski](#)

Senate Chief Author: [Koenen](#)

**Effective Dates:** Sec. 1-3: 8/1/2014 Sec. 4-7: Effective upon federal certification. **Effective Dates:** See *chapter summary in the file link above*.

\* *The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Business and Commerce - 2014

### Regular Session

# Minimum wage increased for the first time in 10 years

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Jeff Hayden (DFL-Mpls), a new law, effective Aug. 1, 2014, will increase the state's minimum hourly wage to \$8 from \$6.15, phasing it up to \$9.50 by 2016.

The law also includes a provision to allow state employees to use up to 80 hours of vacation donation from a sick leave account after the death of a spouse or dependent child.

Other details of the law include:

- beginning in August 2014, \$8 minimum hourly wage for businesses with gross annual sales of at least \$500,000, \$9 in August 2015 and \$9.50 one year later;

- beginning in August 2014 for businesses under \$500,000 in gross annual sales, \$6.50 minimum hourly wage, \$7.25 in August 2015 and \$7.75 one year later;

- the \$7.75 minimum wage rate would also apply for large businesses in the following circumstances: 90-day training wage for 18 and 19 year olds, all 16 and 17 year olds and employees working under a J1 visa;

- beginning in 2018, all wages would increase each year on Jan. 1 by inflation measured by the implicit price deflator capped at 2.5 percent; and

- the indexed increase could be suspended for one year by the commissioner of the Department of Labor and Industry if leading economic indicators indicate the possibility of a substantial downturn in the economy. The suspension could only be implemented after a public hearing and public comment period. In better economic times, the suspended inflationary increase or a lesser amount could be added back into the minimum wage rate in a subsequent year.

HF2091\*/SF1775/CH166

[HF2091\\*](#) / [SF1775](#) / [CH166](#)

House Chief Author: [Winkler](#)

Senate Chief Author: [Hayden](#)

**Effective Dates:** Sec. 1 and 2: 8/1/2014 Sec. 3: 4/15/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Business and Commerce - 2014

### Regular Session

# Changes approved for 'no-fault' motor vehicle insurance

Consumers could gain wiggle room in some motor vehicle insurance benefits in case of injury or death.

A new law also addresses some areas of insurance fraud and establishes a 14-member task force to review and recommend to the Legislature programs that verify motor vehicle insurance coverage. The task force must submit its report by Feb. 1, 2015, and will sunset the day after submitting the report.

Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Vicki Jensen (DFL-Owatonna) sponsor the law, which is effective May 22, 2014, unless otherwise noted.

The law contains multiple maximum benefit increases under no-fault motor vehicle insurance:

- for those disabled in an accident, the maximum weekly benefit, based on previous income, will increase from \$250 to \$500;

- if someone dies within a year due to an accident, the maximum weekly benefit for a surviving dependent will increase from \$250 to \$500. New to this section is that the surviving dependent can be defined as someone who lived with the deceased at the time of death; and

- the maximum benefit for funeral, burial and cremation expenses will increase from \$2,000 to \$5,000. (Secs. 5-6)

Economic loss payments for no-fault insurance claims will receive some protection against legal processes until after a claim is denied. (Sec. 8)

Effective Aug. 1, 2014, the law adds conditions to prescription drug benefits under no-fault insurance that relate to the cost of drugs not dispensed from a licensed pharmacy, repackaged drugs and compound drugs. (Sec. 3)

The law also adds "insurance support organizations" to a list of those who receive immunity from criminal and civil liability for giving out information related to possible insurance fraud. (Secs. 2, 9)

It repeals a process for appealing a health claims denial for treatments deemed experimental, not normal practice or medically unnecessary. This portion is effective Aug. 1, 2014. (Secs. 7, 11)

HF3073\*/SF2372/CH310

**[HF3073\\*](#) / [SF2372](#) / [CH310](#)**

**House Chief Author:** [Atkins](#)

**Senate Chief Author:** [Jensen](#)

**Effective Dates:** Sec. 1-3, and 11: 8/1/2014 Sec. 4-6: 1/1/2015 Sec. 8 and 10: 5/22/2014 **Effective Dates:** See *chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Business and Commerce - 2014

### Regular Session

# Law repeals unnecessary commerce, PUC statutes

A new law repeals, condenses or consolidates close to 200 laws or rules.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Jim Carlson (DFL- Eagan), a so-called "Unsession law" affects the Commerce Department or Public Utilities Commission. It takes effect Aug. 1, 2014.

Supporters noted that some of the deleted provisions interfere with legitimate business transactions or stymie potential job growth. They also note the first telecom rules were passed in 1915, and many things have changed in the past century.

Among the laws to be repealed is one that makes it a misdemeanor to sell fruit in anything other than a one-sized container.

Other laws to be repealed include:

- a prohibition against branch banks;
- those regulating the sale of insurance policies from vending machines; and
- telegraph and multi-party phone line regulations.

HF2854\*/SF2446/CH222

[HF2854\\*](#) / [SF2446](#) / [CH222](#)

House Chief Author: [Atkins](#)

Senate Chief Author: [Carlson](#)

Effective Dates: Various **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Jury trial in human rights cases will be allowed

Since enactment of the state's Human Rights Act in 1969, civil cases brought forward for violation have been settled by a judge.

Sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis Park), and effective Aug. 1, 2014, a new law will ensure that someone bringing forward a civil court action for discriminatory practices is entitled to a jury trial, if requested.

Supporters said this affirms what is already been determined by a federal court â€” that the right to a jury trial is protected under the state constitution.

HF2958/SF2322\*/CH233

[SF2322\\*](#) / HF2958 / CH233

House Chief Author: [Lesch](#)

Senate Chief Author: [Latz](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Data breach prompts new protections, penalties

Several recent high-profile data breaches by public employees, including one by a former Department of Natural Resources employee who inappropriately accessed thousands of driver's license files, spurred a new law that lays out penalties and preventive measures for these actions.

The new law took two years of compromise before making it to the governor's desk. Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. D. Scott Dibble (DFL-Mpls), the law takes effect Aug. 1, 2014.

The law will:

- require procedures for ensuring that private data is accessible only to those whose work assignment calls for that access;
- expand current law to require all government entities, not just state agencies, to notify individuals if a breach of their data has occurred; and
- establish penalties for employees responsible for the breach.

Once it has been determined that a breach has occurred, a report will be required that, at a minimum, must include:

- a description of the type of data accessed or acquired;
- the number of individuals whose data was improperly accessed or acquired;
- the name of each employee determined to be responsible for the unauthorized access or acquisition; and
- disciplinary action, if any, taken against each employee involved.

Those whose information has been compromised will receive written notification from the government entity of the breach, and the opportunity to request a copy of the completed report.

HF183\*/SF211/CH284

**[HF0183\\*](#) / [SF0211](#) / [CH284](#)**

**House Chief Author:** [Holberg](#)

**Senate Chief Author:** [Dibble](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# In forma pauperis changes signed into law

If a court finds a person cannot pay fees and costs associated with a civil court action, it can authorize commencement or defense of the action without prepayment of costs.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Bobby Joe Champion (DFL-Mpls), a new law will, in part, amend in forma pauperis statutes by authorizing the court to order partial payment of court fees if the person doesn't meet IFP eligibility requirements, but is also unable to pay all of the court costs.

It takes effect Aug. 1, 2014.

Additionally, it clarifies that if someone is no longer categorically eligible or if a person received a reduced fee and could later pay more that the court could order that as reimbursement.

Statute was amended three years ago to create a more tiered system of civil filing fees, but categorical eligibility was not changed. A basis was created above the categorical eligibility whereby if someone couldn't pay the full fee, partial payment was acceptable and then if circumstances changed the court could order full reimbursement.

Because those two concepts were put together in one sentence, there had been some inconsistency in its application. Therefore, the law pulls the two provisions apart to clarify intent of the law.

The law also defines public assistance in the IFP statute by cross-referencing to the state's garnishment statutes.

HF2660\*/SF2244/CH200

[HF2660\\*](#) / [SF2244](#) / [CH200](#)

House Chief Author: [Hortman](#)

Senate Chief Author: [Champion](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Civil Law - 2014

### Regular Session

# Referees could be used in housing court cases

The right to demand a judge in a housing court case will be eliminated, with referees doing the work.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ron Latz (DFL-St. Louis Park), the law takes effect Aug. 1, 2014.

Referees are generally already used in housing court because it is a very narrow, technical area of the law and the referees are essentially specialists in that area. If a judge is needed on a housing case, it probably takes twice as long to resolve because the judge who handles them infrequently must first read up on the relevant law.

A party may still request review of a referee's findings by a judge.

HF2479\*/SF2152/CH205

[HF2479\\*](#) / SF2152 / CH205

House Chief Author: [Hilstrom](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Helping judges who don't meet a 90-day rule

An administrative process that has been in place within the judicial branch for more than six years will be codified.

Under current statute, a judge has 90 days to issue a written order in any case submitted to them for a decision. A judge's salary shall not be paid unless there is full compliance with this statute.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Kari Dziedzic (DFL-Mpls), a new law, effective Aug. 1, 2014, attempts to address whether the purpose of the enforcement mechanism should be punitive or remedial and determine the most effective enforcement mechanism.

Under the proposal, the first time the 90-day rule is violated, the chief judge of the judicial district where the infraction occurred is to be notified and consult with the judge. The chief judge shall take appropriate action to remedy the infraction.

A second infraction in five years will also be referred to the chief judge, who is to develop and notify the Board on Judicial Standards within 45 days of a written plan to prevent future infractions. The board is to take immediate action if a third violation occurs in a five-year span for treatment as an ethics violation.

HF2687/SF2718\*/CH202

[SF2718\\*](#) / [HF2687](#) / [CH202](#)

House Chief Author: [Hilstrom](#)

Senate Chief Author: [Dziedzic](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Gender-specific language to be removed

Changes relating to spousal ownership are part of a technical new law that deals with real estate.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Scott Newman (R-Hutchinson), the law is the Minnesota State Bar Association's real property proposal. It takes effect Aug. 1, 2014.

Among the provisions in the law is the removal of gender-specific language regarding designated transfers, which are transfers between entities solely owned by an individual or married couple. The law removes the terms such as "husband" and "wife" and replaces them with "spouses married to each other" to alleviate deed and mortgage problems under current law.

In addition to clarifying some definitions, the law clarifies that a non-titled spouse who joins in the execution of a transfer on death deed – essentially used by a property owner to avoid probate – is not a grantor owner, does not have the right to later revoke the deed and has no claim to the property upon the death of the grantor owner. It also clarifies that property owned by joint tenants requires the deed to be executed by all the owners and their respective spouses, even if the spouses are not record owners, and that revocation of a deed revokes the deed in its entirety.

Language will be removed that holds liable a person who wrongfully records a fraudulent mortgage satisfaction or release. Supporters say the intent is to place liability on the person executing the fraudulent satisfaction or release of a mortgage, not the person recording the document.

HF2188\*/SF2003/CH266

[HF2188\\*](#) / SF2003 / CH266

House Chief Author: [Hortman](#)

Senate Chief Author: [Newman](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Civil Law - 2014

### Regular Session

# Post-conviction relief modifications changed

Filings of petition for relief from conviction and notice to offenders for restitution will be modified.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Dan Hall (R-Burnsville), the law, effective Aug. 1, 2014, will eliminate the requirement that when filing a petition for post-conviction relief that three additional copies be filed with the court.

Also to be eliminated is a provision that allows a notice on the offender's attorney of a request for restitution to be deemed notice to an offender.

Supporters said the restitution notice should go to the offender, who would then contact the attorney if they would want to challenge that restitution.

HF2386\*/CH2009/CH245

[HF2386\\*](#) / SF2009 / CH245

House Chief Author: [Johnson, S.](#)

Senate Chief Author: [Hall](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Changes made for more electronic court system

The focus of a new law is to create a more electronic court system.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Ron Latz (DFL-St. Louis Park), the law contains three areas of change: improving the process for litigants, furthering the eCourtMN Initiative and creating efficiency. It takes effect Aug. 1, 2014.

It provides that a request for a hearing in response to a harassment restraining order must be made within 20 days after the petition is served, rather than 45 days from filing the petition.

Additionally, a transferee in a structured settlement application will need to disclose information on prior applications and payment information for those granted.

Under the eCourt MN Initiative, designed to move the courts from a paper-centric environment to all electronic court records, the law eliminates a requirement that a court seal on documents be a raised seal, permit eService for certain probate cases (estates, guardianships, conservatorships and trusts) and removes a requirement for a notarial act on pleadings and affidavits filed with the court.

An item requiring notarization can instead have a statement above the signature saying that by under penalty of perjury the person signing this document declares that everything said in the document is true.

Other changes will:

- put current practice into law by requiring court administrators to apply payment from a defendant to and restitution obligations before paying fines, court fees, surcharges and other financial obligations unless otherwise ordered by the court; and

- require a petitioner filing an error and omission petition to serve a copy on all candidates for the office. Current law only requires service on the person charged with the error and any other party ordered by the court.

HF2668\*/SF2195/CH204

[HF2668\\*](#) / SF2195 / CH204

House Chief Author: [Hilstrom](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Safeguards placed on background-check record

Background checks are required on job applicants who would have direct contact with vulnerable adults.

Rep. Tina Liebling (DFL-Rochester) and Sen. Ron Latz (DFL-St. Louis Park) sponsor a new law that will allow the Department of Human Services to fully automate and expand the electronic background study system, and collect fingerprints as a requirement to fill certain jobs where a person would have direct contact with a vulnerable adult. It will also provide for the length of time the information would be retained or destroyed; and a procedure for the subject of the background check to access it.

The law will allow the department to choose a vendor to handle the collection of fingerprints and photographs, but they will need to ensure the information is transmitted securely to the department with the vendor retaining only the name, date and time of when the information was recorded and sent.

The law will allow the subject of the background study to make a written request to the department to have the information destroyed, if, after two years, they are no longer affiliated with the DHS-sponsored program.

The commissioner will also be required to notify the background study subject and a prospective employer within three days of the study results, or that the request needs more time to be completed.

The law takes effect Aug. 1, 2014

HF2467\*/SF2547/CH250

[HF2467\\*](#) / [SF2547](#) / [CH250](#)

House Chief Author: [Liebling](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Civil Law - 2014

### Regular Session

# Attorneys will still have 180 days for discovery

A new law will conform statute regarding medical malpractice cases to rulings made by the Supreme Court.

The Supreme Court last summer changed some rules with the intent that parties involved in civil medical negligence lawsuits would develop a plan for sharing information without court involvement. However, the action put two state statutes in conflict.

A new law, sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis Park), will conform statute to the changes made by the court. It is effective April 4, 2014.

In making the changes, the court inadvertently did not cross-reference two statutes affecting the 180-day discovery period. This new law amends two statutes and brings the 180 days back to the way it has been since 1986. The timelines affect medical malpractice and other professional malpractice cases as well.

HF2385\*/SF2044/CH153

[HF2385\\*](#) / [SF2044](#) / [CH153](#)

House Chief Author: [Lesch](#)

Senate Chief Author: [Latz](#)

**Effective Dates:** 4/4/2014; applies to causes of action commenced on or after 4/4/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Civil Law - 2014

### Regular Session

# Court-ordered child support statute clarified

A 2014 Supreme Court ruling was cause for a change to state law on crimes related to nonpayment of court-ordered child support.

A new law, sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. Kari Dziedzic (DFL-Mpls), is effective for crimes committed on or after Aug. 1, 2014.

Mullery said the court was concerned about two words in the statute laying out the crime status for nonpayment of child support. The court felt the words "care and support" left open the door to interpretation, he said. With the new law, those words will be deleted and the terms make clear that the criminal penalties laid out in statute pertain to court-ordered child support.

The law also clarifies that nonpayment of court-ordered support is a violation of any probation granted following conviction of a crime.

HF2602/SF2712\*/CH242

[SF2712\\*](#) / HF2602 / CH242

House Chief Author: [Mullery](#)

Senate Chief Author: [Dziedzic](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Consumers - 2014

### Regular Session

# Tastings at farmers markets addressed

State food inspection law has been changed to specifically address whether a food handler license is required to perform food product sampling and demonstration at farmers' markets and community events.

Sponsored by Rep. Bob Barrett (R-Lindstrom) and Sen. Tony Lourey (DFL-Kerrick), the new law creates a new section in statute that exempts a person who performs food sampling and cooking demonstrations at farmers markets from food handler licensing requirements if the person satisfies certain criteria. Vendors will need to provide regulatory agencies with information, upon request, such as the source of the food and the equipment used to prepare it.

The sections pertaining to farmers' markets and seasonal temporary food stands are effective April 12, 2014. The section pertaining to chili and soup cook-offs will take effect Aug. 1, 2014.

Under the law, community-based nonprofit organizations that conduct chili or soup cook-offs are exempt from statutory food inspections and licensing requirements, provided they meet the following requirements:

- receive approval from the municipality where the cook-off is held;
- develop food safety rules and ensure the participants follow the rules;
- ensure that all the food is labeled with the preparer's name and address; and
- place a sign by food that is not prepared in a kitchen that is licensed or inspected that states: "These products are homemade and not subject to state inspection."

HF2178/SF2060\*/CH163

[SF2060\\*](#) / [HF2178](#) / [CH163](#)

House Chief Author: [Barrett](#)

Senate Chief Author: [Lourey](#)

**Effective Dates:** Sec. 1 and 2: 4/12/2014 Sec. 3: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Consumers - 2014

### Regular Session

# Checking account information clarified as private

Paying by check and having it deposited electronically may be convenient for the payee. However, before a new law was enacted, if the check was to a government entity and the physical check was retained, the information, including the bank account number was deemed public.

Effective May 10, 2014, a new law sponsored by two Woodbury DFLers, Rep. JoAnn Ward and Sen. Susan Kent, makes changes to ensure that financial account numbers on these checks are private or nonpublic data.

The issue surfaced in Washington County when a debt collector sought information from a check that a person he was seeking wrote to the county for property tax payment. County officials learned that, as with most government-held information, it was considered public, and they needed to turn over a copy of the check.

HF2405\*/SF2011/CH208

[HF2405\\*](#) / SF2011 / CH208

House Chief Author: [Ward, J.A.](#)

Senate Chief Author: [Kent](#)

Effective Dates: 5/10/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Consumers - 2014

### Regular Session

# Defaults on payment of self-storage units addressed

A new law nearly rewrites the statute on self-storage units, giving a new definition to these types of spaces, but largely laying out a new procedure for what happens to the contents if the renter stops making payments.

The law is sponsored by Rep. Laurie Halverson (DFL-Eagan) and Sen. Vicki Jensen (DFL-Owatonna). It takes effect Aug. 1, 2014.

Under the new law, if a renter falls behind in paying rent, the owner of the unit will have the option to notify them by electronic means, if prior written consent has been given for that means of communication. Verified mail would be another option for notice delivery.

If a sheriff's sale is needed to dispose of the property, it may take place no sooner than 45 days after default or, if the personal property is a motor vehicle or watercraft, no sooner than 60 days after default.

As is current law, notice of the sale must be published once a week for two consecutive weeks in a newspaper where the sale is to be held. The sale may take place no sooner than 15 days after the first publication date. However, if there is no qualifying newspaper in the area where the sale is to be conducted, the new law allows for electronic posting of the sale on an independent, publicly accessible website that advertises self storage lien sales or public notices.

To help alleviate concerns about default notification of active duty military personnel and family members of the elderly, the new law mandates that rental agreements contain a provision that allows the occupant to provide an optional alternative contact person.

HF2598/SF2398\*/CH215

[SF2398\\*](#) / HF2598 / CH215

House Chief Author: [Halverson](#)

Senate Chief Author: [Jensen](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Consumers - 2014

### Regular Session

# Brewer taprooms, microdistilleries allowed Sunday on-sale

Effective May 14, 2014, unless otherwise noted, and sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Barb Goodwin (DFL-Columbia Heights), these law provisions allow brewer taprooms to conduct on-sale business on Sundays, if authorized by the city or municipality where the taproom is located. Microdistilleries also can serve cocktails featuring their liquor. This mirrors the existing taproom license law that allows local municipalities to choose whether to issue the license. The distiller is allowed only one cocktail room license, and cocktail rooms and taprooms cannot be co-located.

The law also:

- allows, but does not require, brewers to refill growlers for off-sale;
- increases the amount of wine that farm wineries can sell from 50,000 gallons to 75,000 gallons per year, effective July 1, 2014;
- allows farm wineries to store their product in an off-site location if that location is owned and managed by the farm winery and the location of the storage facility is disclosed, effective July 1, 2014;
- allows "bona fide" religious book or supply stores to sell wine for sacramental purposes. The wine can only be sold for sacramental purposes to a rabbi, priest, or minister of a church, or other established religious organization and used exclusively for religious ceremonies. An annual fee of \$50 applies;
- allows Hennepin County bars to stay open until 4 a.m. on July 15 and 16 the day of and day after the 2014 Major League Baseball All-Star game occurs at Target Field. Special permits will be issued at the discretion of the county, and only establishments with existing liquor licenses are eligible; and
- makes it illegal to knowingly tamper with E-gambling machines, effective July 1, 2014.

HF2482/SF2336\*/CH240

[SF2336\\*](#) / [HF2482](#) / [CH240](#)

House Chief Author: [Atkins](#)

Senate Chief Author: [Goodwin](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Consumers - 2014

### Regular Session

# Lien holders seek more options to sell vehicles

A motor vehicle dealer holding the lien on a car because of an unpaid debt can only sell the vehicle through a public sheriff's sale, under current law.

Rep. Steve Simon (DFL-Hopkins) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor a new law that will allow the dealer to sell the vehicle at retail or wholesale.

It will require the dealer to contact the vehicle owner at their last known address at least three weeks prior to sale with the total amount owed, as well as information on the owner's ability to reclaim the vehicle.

The law is effective Aug. 1, 2014.

HF2912\*/SF2538/CH231

[HF2912\\*](#) / SF2538 / CH231

House Chief Author: [Simon](#)

Senate Chief Author: [Champion](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Consumers - 2014

### Regular Session

# New regulations for limited liability companies

Minnesota will have a new Revised Uniform Limited Liability Company Act.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Melisa Franzen (DFL-Edina), a new law updates the state's previous act and includes provisions on the requirements and regulations surrounding the formation and operation of limited liability companies.

The law takes effect on Aug. 1, 2015, for limited liability companies formed on and after the enactment date. Companies formed before the enactment date that meet certain requirements can also be subject to the new law. The law will apply to all limited liability companies, under specified conditions, on Jan. 1, 2018.

Another portion of the law adds cross references to the revised act and includes amendments to statutes on mergers and conversions of corporations and organizations. This second article of the new law also takes effect Aug. 1, 2015. A section that amends a statement in statute on the tax treatment of a limited liability company takes effect Jan. 1, 2015.

HF977\*/SF1648/CH157

[HF0977\\*](#) / [SF1648](#) / [CH157](#)

House Chief Author: [Hortman](#)

Senate Chief Author: [Franzen](#)

**Effective Dates:** Various; most sections effective 8/1/2015 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Consumers - 2014

### Regular Session

# Nurseries that label products as 'bee-friendly' are regulated

Nurseries that want to label products as friendly to bees will have to pass muster with state inspectors.

The new law was sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. Kari Dziedzic (DFL-Mpls), who referred to it as "truth-in-advertising" for plant products. Supporters say that consumers want to purchase products that aren't harmful to honey bees and other pollinators.

The law relates to the sale of plants, plant material and nursery stock. They can't be advertised or labeled as beneficial to pollinators if they have "a detectable level of systemic insecticide" that either has a pollinator protection box on the label or has a certain precautionary statement in the environmental hazards section of the insecticide product label.

The Department of Agriculture will inspect and enforce the new law.

The new labeling requirement takes effect July 1, 2014.

The law also statutorily defines "pollinator lethal insecticide." The definition takes effect Aug. 1, 2014.

HF2798\*/SF2695/CH299

[HF2798\\*](#) / [SF2695](#) / [CH299](#)

House Chief Author: [Hansen](#)

Senate Chief Author: [Dziedzic](#)

**Effective Dates:** Sec. 1: 8/1/2014 Sec. 2: 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Consumers - 2014

### Regular Session

# Minnesota first state to require smartphone 'kill switch'

Minnesota has become the first state to require a "kill switch" in smartphones to protect against theft.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Katie Sieben (DFL-Newport), the law requires new smartphones sold in Minnesota to be equipped with antitheft functionality and regulates the sale of used cell phones.

Smartphones manufactured after July 1, 2015, that are bought or sold in Minnesota must be equipped with antitheft functionality or capable of downloading that functionality, at no cost to the buyer. Smartphone manufacturers must report back to the Legislature by Jan. 15, 2015, describing the antitheft technology their smartphones will be equipped with in order to comply with this new requirement.

Effective July 1, 2014, all Minnesota phone dealers â€" those who buy or sell used cell phones â€" must keep a written record of each acquisition that includes information about the device, the transaction, the seller of the device (including driver's license number), and a statement signed by the seller attesting that the cell phone is not stolen and is free of any liens or encumbrances. These records:

- are not required for phones purchased from merchants, manufacturers or wholesalers having an established place of business;
- must be retained for three years;
- must be available for inspection by a law enforcement agency; and
- may not be disclosed to others without the seller's consent.

Also effective July 1, 2014, used cell phone dealers are prohibited from selling or removing from the dealer's premises a used cell phone if notified by a law enforcement official that there is probable cause to believe the cell phone is stolen or is evidence of a crime. This notification must be confirmed in writing within 30 days, and may be renewed. The official may physically confiscate the cell phone. If, following a notification, the official does not physically remove the cell phone from the dealer's premises within 15 days, the dealer may sell the phone. A dealer may seek restitution in any criminal case that arises from an investigation.

The law also requires a dealer to install and operate video cameras positioned to record the face of used cell phone sellers, and the date and time. If they fail to do so, they will be charged with a misdemeanor.

HF1952/SF1740\*/CH241

[SF1740\\*](#) / HF1952 / CH241

House Chief Author: [Atkins](#)

Senate Chief Author: [Sieben](#)

**Effective Dates:** Art. 1, Sec. 1: 7/1/15; Sec. 2: 8/1/14; Art. 2: 7/1/14 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Mug shots remain as moneymakers on the web

Mug shots of those who have been arrested are popping up on commercial websites. They are being used as a moneymaker either through the ads sponsoring the web page or by requiring money from a person asking for the photo to be taken down.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Chris Eaton (DFL-Brooklyn Center), the bill was passed by two House committees and was awaiting action on the House Floor when session ended. The Senate bill was not heard in committee.

The bill would have restricted public access to copies of a booking photograph maintained by a law enforcement agency unless required certain information is provided:

- the requestor's legal name and address;
- a statement of the purpose laying out how the photograph would be used; and
- a list of all locations and the format of publication, including website addresses where the photograph would be published.

Booking photos are considered public information, and anyone who has been arrested and booked may be surprised while surfing the Internet to find their mug shot, even if the charges against them were dropped or they were found not guilty.

HF1940/SF1863

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Animal cruelty task force will not be created

Rep. Erik Simonson (DFL-Duluth) believes the state's animal cruelty laws are inconsistently enforced.

That's one reason he sponsored a bill that would have created a 19-member Law Enforcement Task Force on Animal Cruelty.

"There is a lack of proper training for law enforcement on this issue. € Hopefully the task force can create some best practices," said Plymouth Police Chief Mike Goldstein.

Approved by the House Public Safety Finance and Policy Committee, the bill was not acted upon by the House Government Operations Committee. A companion, sponsored by Sen. D. Scott Dibble (DFL-Mpls), was approved by two committees, but was awaiting action by the Senate Jobs, Agriculture and Rural Development Committee when the session ended.

Under the bill, the task force would have been comprised of law enforcement officials, county attorneys, representatives of the Animal Law Resources Minnesota and the Board of Veterinary Medicine and five people appointed by the governor.

According to the bill, the task force was to at least:

- evaluate animal cruelty in Minnesota;
- analyze best practices and policies pertaining to the enforcement of animal cruelty laws; and
- analyze current funding and money needed to implement best practices.

A report would have been due the Legislature by Feb. 15, 2015, at which time the task force would expire.

HF2910/SF2435

[\\* //](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates:** **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Push for transportation funding overhaul fails

Saying the state's roads, bridges and transit systems are in need of more investment, transportation leaders in the House and Senate pitched a plan that would raise an estimated \$550 million annually through a new wholesale fuel tax and expanded metro area transit sales tax.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), the bill would have supplemented the state's per-gallon gas excise tax with a gross receipts tax on wholesale fuel purchases. It would also raise a quarter-cent, transit-oriented Twin Cities-area sales tax to 1 cent while expanding it to all seven metro counties to fund new transit projects across the metro area. Currently, Scott and Carver counties do not collect the tax.

New funding is needed, advocates said, to maintain the state's aging roads and bridges and undertake new highway, rail and bus projects across the state.

The proposed legislation closely mirrored a plan put forward by Move MN, a transportation advocacy group comprised of 150 mayors, cities, counties and business leaders that has lobbied lawmakers to ratchet up transportation spending to help keep the state economically competitive.

DFL leadership's reluctance in the House and Senate to pass a transportation-related tax increase, coupled with a lack of support from business leaders and legislative Republicans, stalled the bill after it advanced out of both bodies' respective transportation finance committees. Critics of the proposal called it a "massive tax increase."

"Without the support of the business community and Republicans, a comprehensive transportation package will not progress any further this session," House Speaker Paul Thissen (DFL-Mpls) said in a statement.

The bill also would have reallocated \$32 million in annual revenue from collection of the state's motor vehicle lease tax to road projects in the metro area and Greater Minnesota transit programs.

HF2395/SF2107

***\* //***

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Toxic Free Kids Act dies in end-of-session negotiations

The Toxic Free Kids Act proved too toxic for lawmakers in 2014.

During the interim, Rep. Ryan Winkler (DFL-Golden Valley) retooled his proposal, softening it from a ban on so-called priority chemicals sold in children's toys to requiring manufacturers to report the chemicals to the Pollution Control Agency. During the session, the bill drew a representative from the national Toy Industry Association to St. Paul to oppose the bill.

The bill was incorporated in the House version of the supplemental budget bill, HF3172, and became a sticking point at the end of session. Rep. Jean Wagenius (DFL-Mpls), the House Agriculture, Environment and Natural Resources Committee chair, who served on the budget conference committee, expressed frustration that the measure didn't get included in the final deal. Sen. Richard Cohen (DFL-St. Paul), co-chair of the conference committee, replied that House Republicans wouldn't support a bonding bill if the Toxic Free Kids Act advanced. He noted that any chance of passage will have to wait until next year.

Sen. Chris Eaton (DFL-Brooklyn Center) was the bill's Senate sponsor.

HF605/SF466

**\* //**

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Prioritizing veterans home admissions gets cold reception

There are just more than 1,000 people waiting to gain admission to a state-run veterans home. A plan to establish a priority ladder for entrance was met with resistance.

Rep. Jerry Newton (DFL-Coon Rapids) sponsored a bill that would alter several laws regarding veterans homes and other programs. The recommendations came from the Select Committee on Veterans Housing, which met during the 2013-14 interim.

Heard by the House State Government Finance and Veterans Affairs Committee, the bill was held over for possible omnibus bill inclusion. A companion, sponsored by Sen. Tom Saxhaug (DFL-Grand Rapids), was not heard by the Senate State and Local Government Committee.

In part, Newton said the bill would have mandated that county veterans service officers, when meeting with veterans, "make them aware of MNsure, long-term care, dental insurance, those types of things." He emphasized that officers not act as "navigators or to help fill out applications," rather just provide an informational brochure of all insurance options.

However, it was another aspect of the proposal that some representatives of veterans groups found unappealing.

The bill would have established the following priority system for admission into state-run veterans homes:

- Congressional Medal of Honor or Purple Heart recipients, former prisoners of foreign wars and veterans with at least a 70 percent service-connected disability;
- all other veterans;
- spouses of veterans who are over the age of 65; and
- Gold Star parents of veterans who have lost their lives in service.

Priority in the first three groups would have been given to veterans and their spouses with a documented two-year residency in Minnesota immediately prior to admission, or to those who lived in Minnesota at the time of their or their spouse's admission to the armed forces.

"Currently non-veterans spouses have the same eligibility as veterans and they get the same priority in being assigned to the homes," Newton said. "We have a great number of veterans who are on the waiting list and the select committee felt that veterans should be served first prior to non-veteran spouses."

Mike Ash, state commander for the American Legion of Minnesota, said the bill would make "second-class citizens out of the average veteran. â€ Every veteran served his or her country. They should all have access on equal footing."

[\\*/](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Conflict of interest changes a no-go

Should state and local government officials recuse themselves from an issue that would significantly financially impact their spouse?

Rep. Laurie Halverson (DFL-Eagan) thinks so. She sponsored a bill that would have required officials to take action in such an instance. Sen. Kent Eken (DFL-Twin Valley) sponsored the companion.

While Halverson praised the integrity of state and local officials as she discussed the bill on the House floor, she said the law could do better to reflect that integrity. "Minnesota has fallen behind other states in terms of what it requires for public integrity and public disclosure for elected officials," she said and added, "I do believe it is time for our laws to catch up with the practice of good integrity as public officials."

Other provisions in the bill included requiring the Campaign Finance and Public Disclosure Board to conduct audits, describing which audit data is public or private and adding requirements to the economic interest reports officials submit to the board.

The bill passed the House 76-48.

Although the Senate did not discuss the bill on the floor, the less controversial sections found their way into a campaign finance law.

HF1961/SF1778

[\\* //](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Planning ahead for a hazardous public safety disaster

If oil or another hazardous substance were leaked from a train car or pipeline, would Minnesota's public safety personnel have the needed equipment and knowhow to properly respond to the potential disaster?

The current situation and prospective needs could be addressed by the Department of Public Safety in conjunction with safety officials across the state. If that happens, it would not be because of legislation.

Rep. Frank Hornstein (DFL-Mpls) and Sen. Vicki Jensen (DFL-Owatonna) sponsored a bill that would have required the department to carry out preparedness activities related to railroad and pipeline spills and discharge.

Approved by the House Public Safety Finance and Policy Committee, the bill was referred to the House Transportation Finance Committee, where it stalled. The Senate version was approved by the Senate Transportation and Public Safety Division, but not acted upon by the Senate Finance Committee.

"We need to have a process within the Department of Public Safety in relationship to the companies and first responders to identify specific needs and the costs of items like foam and the training needs that these first responders have," Hornstein said. "It's not a question of if, but when, we might have one of these disasters here."

According to the bill, departmental duties could have included:

- assisting local emergency managers and fire officials understand general strategies for hazard identification and initial isolation to ensure public safety;
- assisting railroads and local pipeline companies develop suggested protocols and practices for first responders;
- facilitating cooperation between the railroads, pipeline companies and public safety organizations;
- participating in training sessions; and
- helping local governments incorporate railroad and pipeline hazard and response information into local emergency operation plans.

A report would have been due the Legislature by Jan. 15, 2015, that summarizes the preparedness and emergency response in the state and provides a cost estimate for needs of first responders that would answer the call when a spill or discharge occurs.

A \$2.5 million General Fund appropriation was called for in the bill, with a matching amount to be assessed to the private entities transporting the materials.

The department would have established a hazardous incident response preparedness grant program that could be used for training costs, equipment related to hazardous materials readiness or emergency preparedness planning and coordination.

[\\*/](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Bug bill stays stuck in committee

Cockroaches, bedbugs, fleas and rodents served as motivation for a bill held over for an omnibus housing finance and policy bill that never came to light.

Rep. Karen Clark (DFL-Mpls) sponsored a bill that would have required landlords to provide notice of pest infestations in the past 12 months and provide a five-day notice of chemical treatments. The bill also would have created a grant program to allow nonprofit organizations to purchase heating units that would combat bedbugs.

The five-day notice of chemical treatments would have included a description of the chemical, how it could affect people and animals, details on the application of the treatment and information from the Environmental Protection Agency on the treatment.

HF2879/SFnone

[\\*/](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Agritourism has short trip in the Legislature

In hopes of adding momentum to the growing agritourism industry in Minnesota, Rep. Clark Johnson (DFL-North Mankato) proposed legislation to limit the liability of farmers who allow tourists to visit their animals and crops.

The bill, which had bipartisan authors from Greater Minnesota districts, would have limited a farmer's liability for injury, damage or death if the tourist was doing something that is construed as part of "the inherent risks of agritourism activities." Farmers wouldn't have been shielded from liability from actions like intentionally injuring a tourist or acting in wanton disregard for the tourist.

Farm groups supported the measure when it was approved by the House Agriculture Policy Committee. However, it drew opposition from trial lawyers advocates and died in the House Civil Law Committee.

A companion, sponsored by Sen. Dan Sparks (DFL-Austin), didn't make it out of the Senate Judiciary Committee.

HF1829/SF1655

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Trying to clarify when felons can vote

Rep. Raymond Dehn (DFL-Mpls) has an idea that he believes would eliminate confusion about when a felon has their voting rights restored.

"If you're locked up you can't vote; if you're out you can vote," he told the House Public Safety Finance and Policy Committee in March 2013.

Sponsored by Dehn, a bill that would have allowed a person convicted of a felony to be eligible to vote upon release from a correctional facility was approved by the committee on a split-voice vote, but went no further.

"There are many individuals who are out that, unfortunately, think they can vote while they are under supervision," Dehn said. "There are even individuals who have long been off supervision that still think that they cannot vote."

Hennepin County Attorney Mike Freeman said that under current law, a person convicted of a felony cannot vote while they are incarcerated or out on probation or parole.

"This bill makes it very simple and very directive. All of us can understand it," Freeman said.

Freeman said checking out the cases where voter fraud may have occurred with a felon voting costs his office about \$100,000 annually. He said that 665,000 people voted in Hennepin County in 2008, and of those, 38 felons were charged for voting when they should not have cast a ballot. Those found guilty were sentenced to community service.

A companion, sponsored by Sen. Bobby Joe Champion (DFL-Mpls), was approved by the Senate Judiciary Committee in 2014, but was awaiting action by the Senate Rules and Administration Committee when session ended.

HF491/SF107

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates:** **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Free food gift ban exception remains unchanged

After broad support in the House for the repeal of a statute regulating gifts to legislators, a bill languished in the Senate Rules and Administration Committee, where it remained until the end of session.

Rep. Ryan Winkler (DFL-Golden Valley) and Sen. John Marty (DFL-Roseville) sponsored the bill, which passed the House 123-3. The bill would have removed an exception to the gift ban law that currently allows legislators to receive free food and beverages as long as every legislator receives an invitation at least five days before the event.

This free meal exception was added to law in 2013. "I think it is important that we take action this session to eliminate that loophole that we opened up," Winkler said during the House floor discussion.

HF1986/SF1730

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Eviction notice timetable remains the same

Requiring landlords to notify tenants seven days before beginning eviction proceedings was an idea introduced in 2013, surfaced in a House hearing in 2014 but was not voted on by the full House.

Under current law, an eviction notice can be filed when a tenant's payment is one day late. Proponents said that the notice would help reduce the number of eviction filings, because it would give tenants time to possibly acquire funds for the rent. The notice could also serve as a document that renters could use when requesting emergency rent assistance through community-based programs, said Rep. Karen Clark (DFL-Mpls), who sponsored the bill with Sen. Jeff Hayden (DFL-Mpls).

However, several landlords said the notice could harm the tenant/landlord relationship. Landlords prefer to work with tenants on a case-by-case basis and, because of the cost involved, file eviction notices only as a last resort.

The bill was not heard by a Senate committee.

HF300/SF591

[\\* //](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates:** **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# No funding for National Trout Center new home

The National Trout Center currently operates out of a storefront in Preston.

However, the nonprofit environmental learning center would like to move to a new home along the Root River.

Sponsored by Rep. Greg Davids (R-Preston) and Sen. Jeremy Miller (R-Winona), a plan to allocate \$4.5 million in bond proceeds to construct the new center was not included in the 2013 or 2014 bonding laws.

The mission of the National Trout Center is "to conserve the natural and cultural heritage of trout and their cold-water environments by engaging the public through education, practice and awareness."

George Spangler, chairman of the center, said plans call for a 10,000 square-foot building that will include expanded exhibit space, a multi-purpose conference room and classrooms that would feature the special characteristics of the regional ecology, geology and climate that result in more than 450 miles of trout streams in the driftless area. The center is scheduled to include the only cold-water living stream exhibit in the United States.

HF1596/SF1460

[\\* //](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# No early date for family cap repeal

Rep. Patti Fritz (DFL-Faribault) and Sen. Chris Eaton (DFL-Brooklyn Center) sponsored a proposal that would have repealed the family cap on July 1, 2014, instead of Jan. 1, 2015. With some exceptions, the family cap means families on MFIP do not receive additional cash assistance if they have another child.

The repeal was included in the health and human services portion of the House supplemental budget bill, but was not included in the final conference committee agreement. However, the original repeal date of Jan. 1, 2015, remains in law.

HF2678/SF2667

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Veterans preference hearing changes receives no Floor vote

A person who qualifies as a veteran under state law cannot be terminated from certain civil service employment or service to a political subdivision until after a hearing is held, if requested, where the employer must prove due cause for the termination.

Rep. Jeff Howe (R-Rockville) and Sen. Michelle Fischbach (R-Paynesville) sponsored a bill that would have changed the veterans preference hearing requirement by giving the veteran the choice of having the hearing conducted by a civil service commission or a three-person panel.

The bill was awaiting action on the House Floor when session ended; its companion was awaiting action by the Senate State and Local Government Committee.

Under current law, a veterans preference case is heard by a civil service board or commission; however, if one does not exist, particularly in smaller communities where such boards have been abolished, a three-person panel conducts the hearing. Each side appoints one panel member, with the third being jointly selected.

The problem, Howe said, is that many veterans don't believe they get a fair hearing because the civil service board is appointed by, and has a close relationship with, the employer. Appeals can be filed with a district court.

Further, the bill would have required the political subdivision to pay all hearing costs, other than the veteran's attorney fees.

Howe said the bill stems from a case in Hopkins where a veteran had their case heard by a civil service board and was ultimately reinstated. "The problem was the city then filed a \$64,000 lawsuit against veteran for the cost of the veteran's hearing," he said. "This was unusual as in the past it was generally understood that the employer paid the cost of the hearing. But in this section of statute for the veterans hearing it was silent."

City and county representatives were not excited by the bill, citing yet-to-be-determined additional costs for local governments using panelists, a loss of local control and because the bill is based on one unusual case.

HF2117/SF2778

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**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Dead Bills - 2014

### Regular Session

# Detox services could still become a MA benefit

The closing of several detoxification centers across the state have not coincided with people no longer needing their services.

"These people are at risk of potential death, so you can't just leave them to sleep it off," Rep. Diane Loeffler (DFL-Mpls) said.

Loeffler and Sen. Jeff Hayden (DFL- Mpls) sponsored a bill that would have directed the Department of Human Services to obtain federal approval for Medical Assistance coverage of services at licensed detoxification centers. Part of the reason there are fewer centers than in years past has do with cost, Loeffler explained, but now the costs have shifted to hospital emergency rooms and police departments.

"Detox is a much more cost-effective solution than emergency rooms or county jails," she said.

Although the bill did not live on in its original form, the House supplemental budget bill, HF3172, included a \$75,000 appropriation from the General Fund in fiscal year 2015 for the department to develop a plan that would add detoxification services to Medical Assistance benefits. The department will present the plan to the health and human services committees by Dec. 15, 2014.

HF2258/SF2072

[\\* //](#)

**House Chief Author:**

**Senate Chief Author:**

**Effective Dates: Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Education - 2014

### Regular Session

# Safe and Supportive Schools Act targets bullying

The state's new Safe and Supportive Schools Act contains the recommendations of a 15-member task force established by the governor in 2012. It defines bullying, cyber-bullying and specifically prohibits it on the basis of sexual orientation, race or religion among other characteristics. It applies to actions on school premises, at school functions, on school transportation or by use of electronic technology.

The law, with various effective dates, provides students, teachers, parents and administrators a strong set of tools to create their own anti-bullying policy and to take on the issue of bullying while creating safe educational school climates, said Rep. Jim Davnie (DFL-Mpls), who sponsors the law with Sen. D. Scott Dibble (DFL-Mpls).

The law requires:

- bullying prevention programs at each school district or charter school for all K-12 students;
- local procedures for reporting and documenting alleged acts of bullying, reprisal or retaliation;
- strategies to protect a victim of bullying, reprisal or retaliation;
- the education commissioner to develop a state model policy, applicable to districts or schools that don't adopt a local policy; and
- consistent with federal and state law, notice to the parent or legal guardian of a student allegedly bullied and the parent or legal guardian of an alleged bully when school personnel identify prohibited conduct. (Sec. 1)

The law also establishes a 23-member School Safety Technical Assistance Council to improve school climate and school safety and foster a safe and supportive learning environment. (Sec. 6)

The Education Department will be home to a new School Safety Technical Assistance Center to provide resources, gather data and establish reporting systems. (Sec. 7)

HF826\*/SF783/CH160

[HF0826\\*](#) / [SF0783](#) / [CH160](#)

House Chief Author: [Davnie](#)

Senate Chief Author: [Dibble](#)

**Effective Dates:** Sec. 1-3: effective 2014-2015 school year and after Sec. 4 and 5: effective 4/10/2014 Sec. 6: effective 8/1/2014 Sec. 7 and 8: effective 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Education - 2014

### Regular Session

# School districts must seek multiple bids for health insurance

School districts are now required to seek multiple bids for their employees' health insurance.

Sponsored by House Majority Leader Erin Murphy (DFL-St. Paul) and Sen. Katie Sieben (DFL-Newport), the new law is known as the Health Insurance Transparency Act.

School districts must now seek group health insurance from at least three insurers. The law requires one of the bids come from the Public Employee Insurance Program at Minnesota Management & Budget.

The multiple bids portion of the law is effective May 17, 2014, and applies to requests for proposals for group insurance coverage issued on or after that date.

The law doesn't require school districts that were self-insured on or before May 17 to seek a bid from PEIP. And districts that choose to become self-insured after that date won't be required to seek a PEIP bid if they insure more than 1,000 lives. School districts with fewer lives that become self-insured after May 17 are required to seek a bid from PEIP.

The law also establishes a process for how school districts, in consultation with local teachers union representatives, receive bids and negotiate with the insurers prior to the plan's renewal date.

The law requires districts to get bids every two years, unless the district and teachers union agree to extend the coverage up to five years.

HF2180\*/SF1835/CH279

[HF2180\\*](#) / [SF1835](#) / [CH279](#)

**House Chief Author:** [Murphy, E.](#)

**Senate Chief Author:** [Sieben](#)

**Effective Dates:** Sec. 3-7, and 13: 7/1/2014 Sec. 1, 2, 8-12: 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Education - 2014

### Regular Session

# Course options increase for consumer licensees

Today there are many options for classroom learning and training. A new law will allow classroom courses for licensees from the Department of Commerce to reflect those options.

The definition of classroom course will expand to include live courses simulcast to other locations where a proctor is present and live online courses that use technology to confirm a student's identity and time spent taking the course. Previously, the definition only applied to courses the instructor taught in real time and in the same location as the students.

Also amended under the law is the definition of "distance learning course." The term will apply to both interactive and non-interactive online courses that instructors do not teach live or in real time.

Rep. Leon Lillie (DFL-North St. Paul) and Sen. Vicki Jensen (DFL-Owatonna) sponsor the law. It takes effect Aug. 1, 2014.

HF2695\*/SF2178/CH249

[HF2695\\*](#) / [SF2178](#) / [CH249](#)

House Chief Author: [Lillie](#)

Senate Chief Author: [Jensen](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Education - 2014

### Regular Session

# English language learners take center stage in education policy law

The omnibus education policy law, sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Patricia Torres Ray (DFL-Mpls), will touch students, teachers, administrators and others helping to prepare the next generation. It takes effect Aug. 1, 2014, unless otherwise noted.

"This (law) was informed by effective practices unfolding in various school districts across the nation. We sought advice from researchers and educators both in Minnesota and at major universities from other states," Mariani, chair of the House Education Policy Committee, said in a news release.

The law addresses the needs of multilingual students and includes a requirement for teachers and staff to provide more support to English language learners. The support is available before children enter kindergarten and extends into college.

Head Start must inform parents about their children's progress in English proficiency, proficiency in their native language and how the program has affected these skills.

The Minnesota State Colleges and Universities system must award foreign language credits to students who earn a bilingual or multilingual seal on their high school transcript. The seal will recognize students' listening, speaking, reading and writing proficiency in a language other than English, including American Sign Language. The students must also be proficient in English and have satisfactorily completed English class credits. Students can start earning the seals in the 2014-15 school year and start receiving foreign language credits in the 2015-2016 school year.

Other measures supporting English language learners:

- district advisory committees will look to gather community support to help English learners achieve academic success;
- site teams at schools will develop strategies to improve cultural awareness;
- English learners are specifically added to the goal for all students to be reading at or above their grade level by the end of third grade;
- the education commissioner will monitor the academic performance of English learners and recommend strategies for improvement;
- effective Aug. 1, 2015, new teachers and teachers renewing their licenses will need to be prepared, or receive instruction, in methods to effectively teach English learners; and
- principals could receive strategies on giving diverse students equal access to "highly qualified teachers" and improving student achievement.

Teachers will have the opportunity to apply ACT and SAT scores to the skills test required to receive a license. The requirement will not apply to non-native English speakers who are teaching a class in their native language.

The law affects other areas in education as well as, such as charter schools, adult high school diploma programs, career and college-ready courses, food donations from schools to food shelves, an interstate compact for military children as they transfer to different schools and a pilot program that would give student teachers experience for a full school year.

HF2397\*/SF1889/CH272

[HF2397\\*](#) / SF1889 / CH272

House Chief Author: [Mariani](#)

Senate Chief Author: [Torres Ray](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Elections - 2014

### Regular Session

# South St. Paul School District changes election procedure

The South St. Paul School District can pass a resolution to dissolve its election districts, according to a new law.

The resolution will allow the district to hold at-large elections of its school board and must include a plan for transitioning members to the at-large positions

Rep. Rick Hansen (DFL-South St. Paul) and Sen. James Metzen (DFL-South St. Paul) sponsor the law, which takes effect upon local approval.

HF2318\*/SF1924/CH230

[HF2318\\*](#) / [SF1924](#) / [CH230](#)

House Chief Author: [Hansen](#)

Senate Chief Author: [Metzen](#)

**Effective Dates:** Effective the day after local compliance. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Elections - 2014

### Regular Session

# Campaign finance reports headed online

As early as this year, many candidates for public office will be required to file campaign finance reports online.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. Ann Rest (DFL-New Hope), a new law, effective May 17, 2014, will call on candidates for local office to submit their reports to their local government as required by current law.

The filing officer for local governments that have a website will then post the report online within 30 days of receiving the report and keep it posted for four years.

Once the report is online, the filing officer will send the links to the state Campaign Finance and Public Disclosure Board so the board can post those links on its own website.

Cities and towns with less than 400 registered voters by Jan. 1 of an election year are excluded from the online posting requirement.

Also included in the law are increases to campaign contribution limits. During an election year, a candidate or committee will not be allowed to receive more than \$600 from an individual or committee and no more than \$250 in other years. Current limits are \$300 and \$100, respectively.

For candidates whose office covers an area with over 100,000 people, the candidates or committees will not be allowed to accept more than \$1,000 from an individual or committee during an election year and no more than \$250 other years. Current limits are \$500 and \$100 respectively.

HF3033/SF2782\*/CH265

[SF2782\\*](#) / [HF3033](#) / [CH265](#)

House Chief Author: [Winkler](#)

Senate Chief Author: [Rest](#)

Effective Dates: 5/17/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Elections - 2014

### Regular Session

# Web security, updates and clarifications rolled into election law

Election procedures received some modern touches during the 88th Legislative Session. The changes will arrive in time for the 2014 elections.

Rep. Connie Bernardy (DFL-Fridley) and Sen. Katie Sieben (DFL-Newport) sponsor a new law that amends several areas of election administration.

The law will:

- set guidelines for website security for electronic voter registration and online absentee ballot submission;
- require write-in candidates to provide 84-days notice to be counted in the primary;
- clarify the portion of the "Voter's Bill of Rights" that gives voters permission to miss a part of the work day so that they can vote on Election Day;
- allow the Office of the Secretary of State to keep the voter records of those in the Safe at Home program, which keeps confidential the addresses of victims of violence who fear for their personal safety;
- clarify that a request to remove a voter's record will result in inactivating the record;
- remove references to the color of ballots, which are obsolete in Minnesota; and
- standardize ballot questions to fit a yes or no format.

Except for two sections, the law takes effect May 17, 2014.

Effective upon local approval, the South St. Paul school district can dissolve its election districts to allow for the at-large election of school board members.

Effective Jan. 1, 2015, for elections after that date, the seven-county soil and conservation districts will have to elect board members, or "supervisors," by election district. Districts outside the seven-county metro area may do the same. Currently, members can be nominated by district and elected to the position through at-large elections.

Both provisions were originally sponsored by Rep. Rick Hansen (DFL-South St. Paul) in HF2318 and HF1408.

HF2516/SF2390\*/CH264

[SF2390\\*](#) / HF2516 / CH264

House Chief Author: [Bernardy](#)

Senate Chief Author: [Sieben](#)

Effective Dates: Various Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Elections - 2014

### Regular Session

# Wider use of electronic rosters authorized

Cities, counties and school districts can begin using electronic rosters to verify pre-registered voters, to process same-day registration, or both. Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Terri Bonoff (DFL-Minnetonka) sponsor the law that authorizes the rosters, specifies needed technological components for an electronic roster system and describes processes election judges will use in conjunction with electronic rosters.

Select cities used electronic rosters in the 2013 elections as part of a study.

Effective May 22, 2014, any county, city and school district can use electronic rosters. Officials will have to notify the secretary of state at least 90 days before elections when they plan to use electronic rosters for the first time in some or all of their precincts. Within 30 days of elections they need to confirm with the secretary of state their electronic rosters meet the technological requirements listed in the new law.

The secretary of state will evaluate the use of electronic rosters in the state and submit a report to the Legislature by April 1, 2015.

HF2166\*/SF1811/CH288

[HF2166\\*](#) / [SF1811](#) / [CH288](#)

House Chief Author: [Laine](#)

Senate Chief Author: [Bonoff](#)

Effective Dates: 5/22/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Elections - 2014

### Regular Session

# Online voter registration permitted in Minnesota

A new law, effective April 30, 2014, includes Internet security protections and requires the secretary of state's office to report suspicious activity.

Voter registration applications received online before the date of the bill's enactment are still valid, a provision that addresses an online voter registration program the secretary of state's office implemented in 2013. A court recently ruled the office did not have authority to implement the program — an issue rectified by the new law.

The law is sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Katie Sieben (DFL-Newport).

HF2096\*/SF2288/CH185

[HF2096\\*](#) / [SF2288](#) / [CH185](#)

House Chief Author: [Simon](#)

Senate Chief Author: [Sieben](#)

Effective Dates: 4/30/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Elections - 2014

### Regular Session

# Counties granted more time to spend Vote Act funds

Counties will have additional time to purchase new voting equipment using funds from federal Help America Vote Act grants.

Effective April 30, 2014, counties with unspent grant money will have two more years to spend the funds. Previously counties had until March 31, 2014, to make purchases and they had to return unused grant money by June 15, 2014. The deadlines are now in 2016.

Rep. Laurie Halverson (DFL-Eagan) and Sen. John Hoffman (DFL-Champlin) are the sponsors.

HF1960/SF1732\*/CH176

[SF1732\\*](#) / [HF1960](#) / [CH176](#)

House Chief Author: [Halverson](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 4/30/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Elections - 2014

### Regular Session

# Secretary of State looks to improve voter records

A new law gives the secretary of state permission to join the Electronic Registration Information Center. The organization operates a database as a way for member states to securely share with each other information that helps them maintain up-to-date voter records. Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. John Hoffman (DFL-Champlin) sponsor the law, which is effective May 14, 2014.

The law also allows the Department of Public Safety to share with the secretary of state address changes for driver's licenses or state identification cards. The secretary of state can use the information to update voter records, including when a voter has moved out of state, and can keep the information for up to 60 days.

HF2265\*/SF2401/CH238

[HF2265\\*](#) / SF2401 / CH238

House Chief Author: [Laine](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 5/14/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Elections - 2014

### Regular Session

# Campaign finance regulations updated in new law

Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. John Hoffman (DFL-Champlin) sponsor a new law that affects campaign finance reports, economic interest reports and investigations into campaign violations.

Much of the law is effective May 22, 2014. A section that requires officials to list the general business or independent contractor activities from which they receive certain amounts of income will apply to current government officials as part of their statements due April 15, 2015.

The law also makes some changes to the Campaign Finance and Public Disclosure Board, such as setting out investigative procedures and requiring items to appear on board meeting agendas seven days before the board votes on them. The board can vote on a matter that does not meet the deadline with the consent of the majority.

When investigating a campaign violation complaint, the Campaign Finance and Public Disclosure Board will have to notify the candidate of the complaint and allow the candidate 15 days to respond. A designated member of the board will have 30 days to determine if there is enough evidence to indicate a violation may have occurred. If there is not enough evidence, the board will dismiss the complaint. A process can then begin of further investigation if the board receives a revised complaint.

Other provisions include requiring the board to conduct audits, if resources allow, a modified schedule for filing certain campaign reports; updated late fees for failing to submit a campaign report on time; and added fees for failing to provide the board with additional information relevant to the campaign report and authorization for the board to develop a web-based system that would allow candidates and committees to store certain records online.

HF2531\*/SF2402/CH309

[HF2531\\*](#) / [SF2402](#) / [CH309](#)

House Chief Author: [Laine](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 5/22/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Elections - 2014

### Regular Session

# Staggered commissioner terms for St. Louis County receive OK

A 2002 court decision that put some St. Louis County commissioners on the same election cycle is trumped by a new law.

Rep. Carly Melin (DFL-Hibbing) and Sen. David Tomassoni (DFL-Chisholm) sponsor the law that will return commissioners representing Iron Range areas in the county to staggered terms.

To implement the change, the District 7 commissioner elected in 2014 will serve a two-year term instead of a four-year term. In the 2016 election, the commissioner would again serve four years.

The law will take effect after the county board passes a resolution on the change and the county submits required information to the secretary of state. It will remain in effect until the filing of a new redistricting plan.

HF3115\*/SF2565/CH210

[HF3115\\*](#) / [SF2565](#) / [CH210](#)

House Chief Author: [Melin](#)

Senate Chief Author: [Tomassoni](#)

**Effective Dates:** Effective upon local approval. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Act aims to move women into high-wage jobs

Sponsored by Rep. Carly Melin (DFL-Hibbing) and Senate President Sandy Pappas (DFL-St. Paul), a new law, effective July 1, 2014, unless otherwise noted, includes provisions to expand parental leave, protect victims of domestic violence, and decrease the gender pay gap.

The Department of Employment and Economic Development will be required to create a grant program with a one-time appropriation of \$500,000 from the workforce development fund to increase the number of women employed in high-wage, high-demand, nontraditional jobs. The grants will be given to state organizations for programs that assist and encourage women to find employment in careers deemed "nontraditional:" skilled trades, science, technology, engineering and math (STEM) occupations. The grant money is available until exhausted. An additional \$250,000 from the workforce development fund is appropriated to the Department of Labor and Industry for apprenticeship opportunities for women in nontraditional occupations.

Grant applicants must provide detailed plan to increase women's participation in high-wage, high-demand, nontraditional jobs, and how they will use grant funds in conjunction with other public and private sources. Once awarded, the grant funds must be used for:

- recruitment, preparation, placement and retention of women in registered apprenticeships, postsecondary education programs, on-the-job training and permanent employment in high-wage, high-demand, nontraditional jobs;
- secondary or postsecondary education or other training to ensure success in nontraditional jobs;
- best practices that stimulate interest in nontraditional jobs among girls and increases awareness of those jobs among girls;
- incentives for employers and sponsors of registered apprenticeship programs to retain women in those occupations for more than one year;
- training for employers to create safe workplaces;
- public education and outreach activities to overcome stereotypes about women in nontraditional jobs; and
- support for women working in nontraditional jobs, including, but not limited to, assistance with workplace issue resolutions and access to advocacy assistance and services.

The law also:

- adds an advisory member to the governor's Workforce Development Council that has expertise in helping women obtain employment in high-wage, high-demand jobs;
- expands unpaid leave under the Minnesota Parental Leave Act from six to 12 weeks and allows the use of leave under the Parental Leave Act for pregnancy-related needs;

- provides for enforcement by the Department of Labor and Industry of existing and new laws related to pregnancy, parenting, and child related leave; pregnancy accommodations; use of earned sick leave; break time and space for nursing mothers; and wage disclosure;
- requires reasonable accommodations for pregnant employees, effective May 12, 2014;
- allows employees to disclose wage information to other employees without retaliation;
- supports the women entrepreneurs' business development with \$500,000 from the General Fund given to Women Venture and the Women's Business Center of Northeastern Minnesota to facilitate and promote the creation and expansion of women-owned businesses;
- requires private sector businesses with 40 or more employees seeking state contracts over \$500,000 to certify compliance with specified employment laws, and to certify that average compensation for female employees is not consistently below average compensation for male employee within each of the major job categories defined in the EEO-1 Report (formally known as the "Employer Information Report"), a government form requiring many employers to provide a count of their employees by job category and then by ethnicity, race and gender, effective Aug. 1, 2014;
- appropriates \$674,000 to the Department of Human Rights to administer the new equal pay law that applies to state contractors. The agency base budget for this purpose is \$426,000 each year in fiscal years 2016 and 2017;
- expands the use of earned sick leave to allow an employee to care for an ill or injured grandchild or parent of a spouse;
- expands unemployment insurance eligibility currently available to victims of domestic violence to include victims of stalking and sexual assault, effective Oct. 5, 2014;
- allows employees to use existing earned sick leave to deal with sexual assault, domestic violence or stalking, effective Oct. 5, 2014;
- prohibits discrimination in employment based upon a person's familial status; and
- studies retirement security by considering a state retirement savings plan for those without an employer-provided option. Effective May 12, 2014, \$400,000 from the General Fund will be used to create the retirement savings plan report that is due to the Legislature by Jan. 15, 2015.

HF2536\*/SF2050/CH239

[HF2536\\*](#) / [SF2050](#) / [CH239](#)

**House Chief Author:** [Melin](#)

**Senate Chief Author:** [Pappas](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Unfair labor practice charges to get out of the courts

Unfair labor practice charges under the Public Employment Labor Relations Act will no longer be heard in a district courtroom, but instead by a newly created Public Employment Relations Board.

Rep. Lyndon Carlson Sr. (DFL-Crystal), who sponsors the law with Senate President Sandy Pappas (DFL-St. Paul), said that Minnesota is one of three states where unfair labor practice claims are now resolved by the courts, rather than administratively. He said the law, supported by nearly all public-employee unions and Minnesota Management & Budget, will create a faster resolution at a lower cost.

A three-member board will be created, under the law. One member will come from a public employee union, another will come from the employment side – both appointed by the governor – and a third person representing the public at large will be appointed by the other two. Alternate members will also be appointed in case of a member having a conflict of interest with a case. According to the law, "Public employers and employee organizations representing public employees may submit for consideration names of persons representing their interests."

This section of the law takes effect July 1, 2014, and the board is to be prepared to have hearings and make decisions by July 1, 2015.

Also effective on July 1, 2015, board decisions, including dismissals of unfair labor practices charges, may be reviewed by the Court of Appeals.

The Bureau of Mediation Services is to receive \$125,000 for fiscal year 2015 to cover establishment costs and rule promulgation. This section is effective July 1, 2014.

HF3014\*/SF2506/CH211

[HF3014\\*](#) / [SF2506](#) / [CH211](#)

House Chief Author: [Carlson](#)

Senate Chief Author: [Pappas](#)

**Effective Dates:** Sections 1-3 and 6-11: 7/1/2015 Sections 4, 5, and 12: 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Workers comp law reduces PTSD-related risk for employers

Employers now face less financial risk for workers compensation claims related to post-traumatic stress disorder.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Dan Sparks (DFL-Austin), a new law adopts recommendations of the Workers' Compensation Advisory Council.

State lawmakers in 2013 made PTSD a condition for which a worker can make a workers compensation claim. This year's law addresses situations where self-insured employers and insurers have claims involving multiple employees from the same event, such as emergency personnel who suffer PTSD after responding to a fatal accident. For purposes of reinsurance, the claims will be treated as a "single loss occurrence" rather than as separate claims for each worker. The employer's reinsurance will kick-in sooner than was the case when the claims were made on an individual basis.

The PTSD section is effective for employees with dates of injury on or after Oct. 1, 2013.

In addition, the workers compensation bill:

- deletes obsolete language related to the Department of Labor and Industry as part of the 2014 "Unsession" initiative. For example, a provision deletes "telegraph" as a means that employers use to report injuries to the state;
- changes how the department determines the payments that insured employers must make to the Special Compensation Fund that is overseen by Minnesota Management & Budget. It also changes law governing refunds from the fund; and
- directs the department to implement the International Classification of Diseases, 10th Edition, for reporting medical diagnoses and hospital inpatient procedures when it becomes required by the federal government.

The new law is effective Aug. 1, 2014, unless otherwise noted.

HF2658\*/SF2220/CH182

[HF2658\\*](#) / [SF2220](#) / [CH182](#)

House Chief Author: [Mahoney](#)

Senate Chief Author: [Sparks](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Labor agreements are ratified

A new law ratifies labor agreements and compensation plans for state employees.

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Sen. James Metzen (DFL-South St. Paul), the new law also requires that within 30 days of approving a salary change for an executive branch agency head, the governor inform the Legislative Coordinating Commission of the change.

The law is effective March 27, 2014.

HF2285/SF1952\*/CH151

[SF1952\\*](#) / HF2285 / CH151

House Chief Author: [Lillie](#)

Senate Chief Author: [Metzen](#)

Effective Dates: 3/27/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Confidential employee definition changed

Employees required to access labor relations information are considered confidential employees under the state's labor relations act.

Sponsored by Rep. Ryan Winkler (DFL-Golden Valley) and Sen. John Hoffman (DFL-Champlin), a new law, effective May 10, 2014, changes the definition of "confidential employee" under the Public Employment Labor Relations Act.

Under prior law, an employee was "confidential" if the employee "has access to" labor relations information. This law changes the definition so that "confidential employee" includes an employee who "is required to access and use" labor relations information.

HF2313\*/SF2319/CH219

[HF2313\\*](#) / [SF2319](#) / [CH219](#)

House Chief Author: [Winkler](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 5/10/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Subsidies for school pensions enacted

Two ailing teacher pension funds will get a financial boost.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Senate President Sandy Pappas (DFL-St. Paul), the omnibus pension and retirement law provides annual General Fund subsidies to reduce unfunded liabilities for the Duluth and the St. Paul teacher pension funds.

Unless otherwise noted, the new law takes effect July 1, 2014.

In the case of Duluth, the pension fund is merged with the statewide Teachers Retirement Association, which is given \$14 million in annual state aid starting Oct. 1, 2014, to cover the pension fund's unfunded liabilities. The Duluth pension fund was 58 percent funded as of July 1, 2013. The merger provisions have various effective dates in 2014 and 2015. (Art. 6)

The law will provide \$7 million a year starting Oct. 1, 2015, through 2042 in state aid to the St. Paul Teachers Retirement Fund Association, which will remain independent of TRA. The St. Paul teachers pension was 64 percent funded as of July 1, 2013. St. Paul will hand over management duties of its pension investments to the State Board of Investment. The St. Paul provisions have effective dates in 2014 and 2015. (Art. 7)

Contribution rates for two statewide pension plans, the Minnesota State Retirement System and the Public Employees Retirement Association, will be increased. Both plans had consecutive funding deficiencies in 2012 and 2013 and were required by law to recommend to the Legislature increases in the rate that employees and employers make to the pensions. MSRS employees and employers will see the rate increase by 0.5 percent of pay. The rate increase is effective on the first day of the first full pay period beginning after July 1, 2014. The contribution rate for PERA will increase by 0.25 percent of pay, starting Jan. 1, 2015. (Art. 3)

The new law sets a higher bar for full cost of living adjustments. The plans must be at least 90 percent funded for two consecutive years before they can trigger the full COLAs. The previous law required one year of full funding. The effective date is July 1, 2015. (Art. 11)

The statutory joint and survivor optional annuities discount rate that's applied to the state's various public pension plans is set at 6.5 percent. Plans in MSRS and TRA have a July 1, 2014, effective date. The rate is effective for plans in PERA either July 1, 2017, or on the same date as the next mortality assumption adjustment, whichever is earlier. (Art. 4)

Deferred annuity retirees will be able to vote in MSRS Board member elections. The election change is effective May 22, 2014. (Art. 2)

HF1951\*/SF1803/CH296

**[HF1951\\*](#) / [SF1803](#) / [CH296](#)**

**House Chief Author:** [Murphy, M.](#)

**Senate Chief Author:** [Pappas](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Insurance options to be available to certain employees

Effective July 1, 2014, and sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. James Metzen (DFL-South St. Paul), a new law permits employees of the Minnesota Joint Underwriting Association (JUA) and the Minnesota FAIR Plan to qualify for insurance coverage provided by the state at the employees' own expense. The JUA is authorized to provide coverage to individuals who need coverage for their occupation or business and cannot obtain it in the private market. The Minnesota FAIR Plan is authorized to provide coverage for real estate that is not insurable in the regular private market.

The insurance coverage is permitted unless the commissioner of Minnesota Management & Budget determines that permitting the employees to obtain that coverage would cause the state employee group insurance plan to lose its status as a governmental plan, or cause the plan to be treated as a multiple employer welfare arrangement under federal law.

HF1938/SF1689\*/CH184

[SF1689\\*](#) / [HF1938](#) / [CH184](#)

House Chief Author: [Atkins](#)

Senate Chief Author: [Metzen](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Employment - 2014

### Regular Session

# Unemployment insurance changes are enacted

Unemployment Insurance Advisory Council technical policy and housekeeping recommendations are the basis for a new law.

The informal group includes representatives from the business community; employment agencies; labor, trade and professional organizations and associations; legal advocacy groups; law school instructors; Department of Employment and Economic Development staff; and legislators.

Among provisions of the new law sponsored by Rep. John Persell (DFL-Bemidji) and Sen. Founq Hawj (DFL-St. Paul), is a lowering of the interest rate that employers pay on their debt to the unemployment insurance system from 18 percent to 12 percent. It also lowers the interest rate assessed by applicants on fraud overpayments by the same amount. This change is effective for interest assessed after July 1, 2015.

Supporters said this will bring Minnesota in line with what most states do in these areas and will make it easier for everybody to get back on their feet if they've had trouble with this part of the unemployment insurance system.

Other provisions in the law include:

- reducing employer payroll record retention requirements from eight to four years plus the current year;
- specifying that the definition of wages does not include income to a former employee resulting from the exercise of nonqualified stock options;
- clarifying of how severance pay affects unemployment insurance eligibility;
- changes in the standard of ownership for employer experience rating history transfers;
- an exemption for attorneys from certain types of online filing requirements; and
- clarifying that an unemployment law judge must dismiss a request for reconsideration as untimely if the request was not filed within the statutory time period.

These changes were generally effective beginning on June 8, 2014.

HF2949\*/SF2186/CH251

[HF2949\\*](#) / [SF2186](#) / [CH251](#)

House Chief Author: [Persell](#)

Senate Chief Author: [Hawj](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Definition of 'teacher' expanded in labor law

Physical and occupational therapists will no longer be the only employees not licensed by the Board of Teaching or the commissioner of education to be included in the teacher bargaining unit.

A law sponsored by Rep. Barb Yarusso (DFL-Shoreview) and Sen. John Hoffman (DFL-Champlin) adds art therapists, music therapists and audiologists to the definition of a "teacher" as applied to a teaching bargaining unit under the Public Employment Labor Relations Act.

It takes effect July 1, 2014.

HF2324/SF1722\*/CH247

[SF1722\\*](#) / HF2324 / CH247

House Chief Author: [Yarusso](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Employment - 2014

### Regular Session

# Public employees protected when in transition

Sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. David Tomassoni (DFL-Chisholm) a new law, effective Jan. 15, 2015, will allow for the transition of exclusive representation of employees under the Public Employee Labor Relations Act (PELRA) when governmental units form a joint powers entity.

It also requires the Bureau of Mediation Services to follow the PELRA process for determining initial certification and decertification of an exclusive representative for newly formed joint powers entities. Existing collective bargaining agreements for government units remain in effect until that unit forms a joint powers entity and a new agreement goes into effect. The existing agreement is enforced by the exclusive employee representative for the government unit's employees until a new exclusive representative is certified. The exclusive employee representative is responsible for negotiating a new collective bargaining agreement, filing grievances and administering the previous agreement until a new one is agreed to and put into place.

The law also:

- permits a joint powers entity to discipline an employee for just cause who, at the time the joint powers entity was formed, would have been subject to discipline by the member;
- permits the exclusive representative of a joint powers entity to file a grievance under the collective bargaining agreement that covered the employee prior to formation of the joint powers entity or under the new collective bargaining agreement after it is agreed to;
- permits a new joint powers entity to get free copies of all public data on employees of the joint powers entity that was maintained by the members;
- establishes that seniority must be based on the employee's continuous service with a PELRA member and the employee's service with the joint powers entity; and
- requires that layoffs and recall must be based on seniority. Recall rights must continue to apply until a new collective bargaining agreement is made.

HF2939/SF2490\*/CH223

**[SF2490\\*](#) / [HF2939](#) / [CH223](#)**

**House Chief Author:** [Anzelc](#)

**Senate Chief Author:** [Tomassoni](#)

**Effective Dates:** 1/15/2015 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Employment - 2014

### Regular Session

# Apprenticeship programs extended after pilot stage

Those wanting to enroll their programs as apprenticeships can now go forth.

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Matt Schmit (DFL-Red Wing), the law, effective Jan. 1, 2015, unless otherwise noted, extends an independent contractor pilot program and makes federal conformity changes to the apprenticeship program.

To register an apprenticeship program, an applicant must submit a completed application to the division on a form provided by the Department of Labor and Industry. A one-year provisional approval will be granted if the applicant meets the standards of apprenticeship that include, but are not limited to:

- an organized, written plan of program standards embodying the terms and conditions of employment, training and supervision of one or more apprentices in an trade or occupation that requires an apprenticeship;
- a minimum of 144 hours of related instruction is required in each training cycle. At least 50 hours of related safety instruction is required during the term of apprenticeship. Time spent in related instruction cannot be considered as hours of work. Every apprenticeship instructor must meet the Department of Education's requirements for a vocational-technical instructor or be a subject matter expert, which can be a journeyworker who is recognized within an industry as having expertise in a given subject area;
- a graduated pay scale for an apprenticeship program will be calculated as a percentage of the journeyworker rate in the majority of registered apprenticeship agreements;
- a probationary period of no more than 500 hours of employment and instruction extending no more than four months; and
- the term of an apprenticeship can be measured through a time-based approach, a competency approach or a combination of the two.

HF2198/SF2065\*/CH305

[SF2065\\*](#) / [HF2198](#) / [CH305](#)

House Chief Author: [Mahoney](#)

Senate Chief Author: [Schmit](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

**Energy - 2014**

**Regular Session**

# **No favorites in routing transmission lines**

Minnesota's electric utilities are prohibited from favoring one high-tension power line route over another during the planning process, under a new law effective May 10, 2014.

Sponsored by Rep. Jeff Howe (R-Rockville) and Sen. Michelle Fischbach (R-Paynesville), it bars a utility seeking a route permit from the state's Public Utilities Commission for a high-voltage electric transmission line from designating a preference among the alternative routes proposed. Applicants must submit at least two proposed locations or routes.

HF655\*/SF455/CH221

[HF0655\\*](#) / SF0455 / CH221

House Chief Author: [Howe](#)

Senate Chief Author: [Fischbach](#)

**Effective Dates:** 5/10/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Energy - 2014

### Regular Session

# Energy assistance gets for funding

Low-income Minnesota residents will be able to stay warm through the remainder of the Polar Vortex and beyond.

A new law adds \$20 million from the General Fund to the LIHEAP energy assistance program. The money supplements federal funding that was set run out in early March. If all of the \$20 million is not used by June 30, 2014, the remaining funds will go back into the General Fund and may be used for the weatherization assistance program.

Sponsored by Rep. Joe Radinovich (DFL-Crosby) and Sen. Tom Saxhaug (DFL-Grand Rapids), the law was effective March 1, 2014.

HF2374\*/ SF1961/CH145

[HF2374\\*](#) / SF1961 / CH145

House Chief Author: [Radinovich](#)

Senate Chief Author: [Saxhaug](#)

Effective Dates: 03/01/14 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Energy - 2014

### Regular Session

# Propane consumers gain protections in omnibus energy law

Lawmakers moved to beef up safeguards for the swath of largely rural Minnesotans who use propane fuel to heat their homes following a severe shortage last winter by passing a package of new protections that include requirements for budget payment plans and purchase contracts, clearly posted prices and regulations on fees that can be tacked onto transactions.

A call to the Legislative Energy Commission to conduct a study on how to move propane users to natural gas or other alternative sources of energy is also among the propane provisions signed into law. Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. John Marty (DFL-Roseville), the law takes effect Oct. 1, 2014.

Other measures included in the law (all effective May 17, 2014):

- establish an annual base funding level of \$8 million for an electric rate discount program operated by Xcel Energy and require that funding to increase in line with residential electricity rates approved by the state's Public Utilities Commission;
- permit residential and commercial electric customers, utilities and lenders to enter into agreements allowing customers to repay loans for energy efficient improvements or renewable energy sources through their utility bills;
- require utilities to establish a time-of-day electricity rate for charging electric motor vehicles, with a higher rate for charging electric vehicles during peak-use hours;
- expand the types of medical professionals who can certify it is medically necessary for utilities to continue or reconnect service to a residence;
- exempt independently-owned wind energy conversion systems and solar electric generation facilities from obtaining a certificate of need if the system's electric output is not sold to an entity that provides retail or wholesale electric service in Minnesota; and
- establish a method for determining whether individually-constructed solar electric generation systems should be considered as a single project for the purposes of concluding whether they are large enough to fall under the Public Utilities Commission's jurisdiction.

HF2834\*/SF2448/CH254

**[HF2834\\*](#) / [SF2448](#) / [CH254](#)**

**House Chief Author:** [Hortman](#)

**Senate Chief Author:** [Marty](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Environment and Natural Resources - 2014

### Regular Session

# Triclosan retail ban becomes law

A new law bans the retail sale of cleaning products containing the anti-bacterial compound triclosan.

Triclosan is one of several toxic chemicals regulated in the law, sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. John Marty (DFL-Roseville).

Unless otherwise noted, the law takes effect Aug. 1, 2014.

The ban on triclosan includes products used by consumers for sanitizing or hand-and-body cleansing. Studies have raised concerns that triclosan disrupts the endocrine system.

The triclosan ban, which takes effect Jan. 1, 2017, will not apply to products that have been specifically approved for consumer use by the U.S. Food and Drug Administration.

The law also amends state statute regulating other toxic chemicals, including:

- expanding the law so that no mercury-containing products are allowed to be placed into solid waste or a wastewater disposal system, or a solid waste processing or disposal facility. The prohibition previously applied to specific devices enumerated in statute;
- making manufacturers of thermostats that contain mercury responsible for the costs of collecting and managing the replaced thermostats so they don't enter the waste stream. The law removes exemptions from the ban on mercury thermometers, including mercury thermometers for food research and processing. It also provides for how manufacturers comply with the law;
- effective Jan. 1, 2016, prohibiting wheel weights and balancing products that contain lead or mercury; and,
- amending the state ban on the sale of children's products containing formaldehyde to "intentionally added" chemicals that, as they degrade under use, release formaldehyde at levels exceeding 0.05 percent.

HF2542/SF2192\*/CH277

[SF2192\\*](#) / [HF2542](#) / [CH277](#)

**House Chief Author:** [Hortman](#)

**Senate Chief Author:** [Marty](#)

**Effective Dates:** 8/1/2014 except sec. 6: 1/1/2015, sec. 7: 1/1/2016, and sec. 8: 1/1/2017 **Effective Dates:** See *chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Environment and Natural Resources - 2014

### Regular Session

# Outdoor Heritage Fund money will buy conservation lands

More land will be acquired for conservation purposes in this year's Outdoor Heritage Fund law. Sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. Tom Saxhaug (DFL-Grand Rapids), the law provides funding for \$109 million in projects that were recommended by the Lessard-Sams Outdoor Heritage Council. The money comes from the three-eighths of 1 percent increase in the sales tax that voters approved as a constitutional amendment in 2008.

The council winnowed its recommendations down from 56 projects that totaled \$269 million that were originally received.

The funding categories include:

- prairies: \$37.4 million;
- habitats: \$30.9 million;
- wetlands: \$24 million;
- forests: \$16 million; and,
- administration: \$885,000.

Among the larger appropriations is \$9.7 million for the Reinvest in Minnesota Wetlands Partnership and \$8.1 million to the Department of Natural Resources to acquire land for wildlife management areas and scientific and natural areas.

The new law takes effect July 1, 2014.

HF1926\*/SF2098/CH256

[HF1926\\*](#) / [SF2098](#) / [CH256](#)

House Chief Author: [Hansen](#)

Senate Chief Author: [Saxhaug](#)

Effective Dates: 7/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Environment and Natural Resources - 2014

### Regular Session

# Pollinators, invasive species projects funded by LCCMR

Nearly \$29 million for 71 environmental projects that are funded with proceeds from the Minnesota Lottery is provided for in a law that takes effect July 1, 2014.

Sponsored by Rep. John Persell (DFL-Bemidji) and Sen. Kari Dziedzic (DFL-Mpls), the law appropriates money out of the Environment and Natural Resources Trust Fund.

The law is divided into eight categories of funding:

- land acquisition for habitat and recreation: \$6.9 million;
- water resources: \$4.58 million;
- foundational natural resource data and information: \$4.2 million;
- environmental education: \$3.68 million;
- methods to protect, restore and enhance land, water and habitat: \$3.68 million;
- air quality, climate change and renewable energy: \$3.36 million;
- aquatic and terrestrial invasive species: \$2.3 million; and
- administration and contract agreement reimbursement: \$244,000.

The projects were recommended by the Legislative Citizen Commission on Minnesota Resources. The LCCMR originally received 192 proposals that totaled \$111 million.

The law includes several projects that address the decline of pollinators in Minnesota. The largest amount is \$864,000 to the University of Minnesota to identify sources of nectar and pollen for native pollinators and honey bees. There's also \$326,000 to the university to research how neonicotinoid insecticides affect bees.

The law also addresses invasive species with \$854,000 to the university to look at changing the operations at Lock and Dam Numbers 2 to 8 to impede invasive carp from moving up the Minnesota, Mississippi and St. Croix rivers.

HF1874\*/SF1899/CH226

[HF1874\\*](#) / [SF1899](#) / [CH226](#)

House Chief Author: [Persell](#)

Senate Chief Author: [Dziedzic](#)

Effective Dates: 7/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Environment and Natural Resources - 2014

### Regular Session

# Water and wastewater privatization in repealed

A 1980s-era law that allowed municipalities to contract with private entities for water and wastewater services has been repealed.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. James Metzen (DFL-South St. Paul), the new law is part of the 2014 session's series of "Unsession" bills that remove outdated laws from the books. Hansen said on the House floor that municipalities haven't utilized the law. The law allows the Metropolitan Council to continue to use the authority.

The new law takes effect Aug. 1, 2014.

HF2622\*/SF2764/CH258

[HF2622\\*](#) / [SF2764](#) / [CH258](#)

**House Chief Author:** [Hansen](#)

**Senate Chief Author:** [Metzen](#)

**Effective Dates:** Sec. 1, 2, and 4: 8/1/2014 Sec. 3: 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Environment and Natural Resources - 2014

### Regular Session

# Environmental permitting goals get boost in new law

A new environmental permitting law is designed to speed up the time it takes the Pollution Control Agency and the Department of Natural Resources to act on permits.

Sponsored by Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Bev Scalze (DFL-Little Canada), the new law makes changes to 2011 legislation that streamlined the environmental permitting process for businesses.

Environmental permits are now sorted into two tiers. Tier 2 permits have the 150-day goal to be issued or denied, which was the goal set in 2011. Tier 1 permits, which are less complex applications, now have the goal of 90 days. The goals become effective Jan. 1, 2015. An estimated 11,000 of the 15,000 permit requests the state receives each year are subject to the 90-day goal, according to Gov. Mark Dayton's office.

The law also:

- allows an expedited process if the environmental permit applicants reimburse the DNR for staff time and consultant services;
- makes an addition to the Water Pollution Control Act that a state disposal system permit doesn't need to reapply for a permit for 10 years;
- allows trading of water quality credits. The trading arrangements must result in a net decrease in water pollution;
- expands the ability of the PCA to issue civil citations for violations of subsurface sewage treatment laws and sets penalty amounts; and
- directs the PCA to amend its rules so that permit terms for solid waste management facilities don't exceed 10 years.

Unless otherwise noted, the new law is effective Aug. 1, 2014.

HF2543\*/SF2193/CH237

[HF2543\\*](#) / [SF2193](#) / [CH237](#)

House Chief Author: [Hortman](#)

Senate Chief Author: [Scalze](#)

Effective Dates: Various Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Environment and Natural Resources - 2014

### Regular Session

# Water management provisions modified in drainage law

Drainage authorities will be required to consider alternative types of water management criteria for drainage projects.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. Dan Sparks (DFL-Austin), a new law, effective Aug. 1, 2014, adopts recommendations from the Drainage Work Group. In establishing drainage projects, alternative water management measures required to be considered are clarified to include:

- conserving, allocating and using drainage waters for agriculture, stream flow augmentation or other beneficial uses;
- reducing downstream peak flows and flooding;
- providing adequate drainage system capacity;
- reducing erosion and sedimentation; and
- protecting or improving water quality.

In planning new or making repairs to drainage systems, the new law directs drainage authorities to seek external sources of funding to facilitate the alternative water management measures.

HF2571/SF2221\*/CH164

[SF2221\\*](#) / [HF2571](#) / [CH164](#)

House Chief Author: [Hansen](#)

Senate Chief Author: [Sparks](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Environment and Natural Resources - 2014

### Regular Session

# Outdoor activities and water resources get attention

Local governments and businesses will have more input into groundwater management areas that are being developed by the Department of Natural Resources.

Sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. John Marty (DFL-Roseville), the omnibus environment and natural resources policy law addresses the composition of advisory teams that assist the DNR in creating GWMA in areas of the state that are experiencing significant strain on water resources.

The law will require a majority of the advisory team members be from public and private entities that currently hold water use permits in the affected areas. The DNR will consult with local government associations like the League of Minnesota Cities in appointing local government representatives. The teams will also include representatives of institutions of higher education. The DNR will consult with the advisory team at least 30 days prior to implementing or modifying a groundwater management area plan.

Unless otherwise noted, the new law takes effect Aug. 1, 2014.

In addition to groundwater, the law also:

- changes the requirement of a permitting-efficiency report by the DNR from semi-annual to annual;
- allows the DNR to bill organizational units within the DNR and other governmental units, including tribal governments, for the cost of operating facilities;
- allows completion of the Motorcycle Safety Foundation Dirtbike School to serve as an option for meeting safety certificate requirements in Minnesota's off-highway motorcycle laws. It also allows completion of the ATV RiderCourse by the All-Terrain Vehicle Safety Institute to meet safety certificate requirements in Minnesota all-terrain vehicle law;
- changes the maximum age to be issued an ATV safety certificate from not less than 18 years old to not less than 16 years old;
- makes changes to snowmobile and all-terrain vehicle definitions;
- prohibits tampering with the odometer of an off-road recreational vehicle;
- changes aquatic invasive species laws to require the DNR to list rather than designate infested waters;
- makes changes to the development of master plans for units of the outdoor recreation system;
- updates the Minnesota Sustainable Forest Resources Act;
- forbids a county commissioner from being a drainage inspector. The section is effective Aug. 1, 2015;

- makes changes and eliminates certain provisions related to floodplains no longer necessary due to federal law;
- adds to the definition of a "Qualified Facility" in the Landfill Cleanup Program;
- exempts certain biofuels producers from mandatory requirements for preparing environmental impact statements;
- directs the DNR to use the term "invasive carp" rather than "Asian carp." The section is effective May 22, 2014; and
- directs DNR to amend its rules to allow a person to use rabbits and hares to train dogs without killing or capturing them at any time during the year except from April 16 to July 14.

HF2733\*/SF2191/CH289

[HF2733\\*](#) / SF2191 / CH289

House Chief Author: [Dill](#)

Senate Chief Author: [Marty](#)

Effective Dates: Various Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Environment and Natural Resources - 2014

### Regular Session

# 'Unsession' law eliminates outdated laws for environmental agencies

Minnesota's environmental statutes get some pruning in the "Unsession" initiative.

Sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. John Marty (DFL-Roseville), the new law, effective Aug. 1, 2014, changes outdated references in Minnesota statutes such as changing the Department of Natural Resource's "Division of Waters" to the "Division of Ecological and Water Resources." It also eliminates obsolete parts of state law.

The new law includes:

- changing law for consolidating soil and water conservation districts;
- eliminating certain reports that the DNR had previously been required to make to the Legislature;
- changing the DNR's reporting requirement on permitting efficiency from semiannual to annual;
- relocating the definition of "refuse-derived fuel" from Pollution Control Agency statutes to waste management statutes;
- eliminating a requirement that state agencies must create a "guidebook" for the public about their operations;
- repealing 11 sections of statute dealing with wilderness areas that are no longer necessary;
- repealing law authorizing the DNR to conduct topographical surveys;
- eliminating law related to the Star Lakes nonprofit organization;
- repealing outdated floodplain and flood protection provisions;
- eliminating the Minnesota River Board joint powers board;
- eliminating Project Riverbend along the Minnesota River from Franklin to Le Sueur;
- repealing certain parts of the Water Pollution Control Program at the Pollution Control Agency; and,
- repealing the powers and duties of the Nuclear Waste Council.

HF2715/SF2454\*/CH248

**SF2454\*** / HF2715 / CH248  
House Chief Author: [Dill](#)  
Senate Chief Author: [Marty](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Family - 2014

### Regular Session

# Modifications made to court-ordered parenting time factors

One of the most contentious issues to resolve during divorce is parenting time. A new law makes changes to factors that could be considered in court-ordered plans.

A significant change will allow for modification of court-ordered parenting time plans over time, based on the child's best interest and their developmental needs.

"A child at 3 [years old] has different needs than at 13. The judge can put that into their directions," said Rep. Tim Mahoney (DFL-St. Paul). He sponsors the law with Sen. Chris Eaton (DFL-Brooklyn Park). It takes effect Aug. 1, 2014.

Other provisions include:

- no presumption for or against joint physical custody, except when domestic abuse, as defined in the order for protection statute, has occurred between the parents;
- a provision that when the court is considering awarding either joint legal or joint physical custody, it may not use one of the four factors considered to the exclusion of all the other factors;
- that a disagreement over sole or joint custody is not to be considered an inability of parents to cooperate when considering the factors in awarding joint legal or physical custody; and
- a requirement that the court make detailed factual findings whenever the parties disagree about an award of either sole or joint physical or legal custody.

HF2722\*/SF2732/CH197

[HF2722\\*](#) / [SF2732](#) / [CH197](#)

**House Chief Author:** [Mahoney](#)

**Senate Chief Author:** [Eaton](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Family - 2014

### Regular Session

# Plan put in place to help collect child support from overseas

The state's efforts to enforce international collections of child support could hinge on it complying with changes that the federal government could be enacting as it attempts to streamline and bring clarity to the procedures.

A new law supports federal efforts to establish uniform procedures among the states to assist in the enforcement in these types of collections.

Sponsored by Rep. Carly Melin (DFL-Hibbing) and Sen. Kathy Sheran (DFL-Mankato), it becomes effective on the date that the United States deposits the instrument of ratification for the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance with the Hague Conference on Private International Law.

Congress is currently working on updates to the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. This is a treaty entered into by various countries to enforce judicial decisions.

There are currently 150,000 international child support cases. Once federal legislation is passed, Minnesota will have a short grace period in which to comply with the new legislation. This law ensures the state's processes are implemented.

So far, 10 states have enacted the updates.

HF892\*/SF347/CH189

[HF0892\\*](#) / SF0347 / CH189

House Chief Author: [Melin](#)

Senate Chief Author: [Sheran](#)

**Effective Dates:** Effective upon action by the United States federal government. **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Game and Fish - 2014

### Regular Session

# Wolf hunting provisions enacted in game-and-fish law

Changes to wolf hunting laws are included in the omnibus game and fish law.

The federal government in 2012 removed the gray wolf in the western Great Lakes area from the endangered species list and the Department of Natural Resources established a wolf hunt. This year's game and fish law has two wolf-related provisions: a person with multiple convictions for unlawfully killing wolves is liable for a civil penalty equal to the restitution value of the wolf and the DNR must compile a list that's updated quarterly on known wolf deaths.

Sponsored by Rep. David Dill (DFL-Crane Lake) and Sen. Matt Schmit (DFL-Red Wing), the new law, effective Aug. 1, 2014, has other non-wolf related sections that:

- prohibit snowmobiles on state forest lands, except designated forest roads, during the firearms deer hunting season in areas where rifles are permitted. The law makes an exception for licensed deer hunters before or after legal shooting hours;
- increase the maximum weight of an all-terrain vehicle that may be classified as a Class 1 all-terrain vehicle;
- allow a person aged 60 or older to hunt deer, bear, turkey or rough fish with a crossbow during the archery season. Currently, crossbow hunting is only allowed during the regular firearms seasons;
- direct the DNR to administer a grant program to local recreational trap shooting clubs;
- allow for a person with permanent disabilities or a disabled veteran to obtain hunting and fishing licenses with a driver's license or Minnesota identification card that provides proof of their disability;
- prohibit people from hunting with thermal imaging equipment;
- direct the DNR to amend its rules regarding the minimum size limits for muskie;
- direct the DNR to study the feasibility of restoring Minnesota's wild quail population; and,
- allow an organization to conduct raffles in conjunction with wild game or fishing events.

HF2852\*/SF2227/CH290

[HF2852\\*](#) / [SF2227](#) / [CH290](#)

House Chief Author: [Dill](#)

Senate Chief Author: [Schmit](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# Department of Health 'Unsession' law provides trimming

A new law repeals sections in statute, strikes out old language, streamlines programs and updates references to statutes. Some of the areas amended include updates to the health care administrative simplification act to reflect current law; two reports on the maltreatment of vulnerable adults will now become one; references to tuberculosis are removed from some portions of statute; and references to rules the department could set in case of a smallpox epidemic are eliminated.

Rep. Tina Liebling (DFL-Rochester) and Sen. Melissa Wiklund (DFL-Bloomington) sponsor the law, which takes effect July 1, 2014.

HF2874\*/SF2367/CH192

[HF2874\\*](#) / [SF2367](#) / [CH192](#)

House Chief Author: [Liebling](#)

Senate Chief Author: [Wiklund](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# New law makes technical corrections to DHS funding

A new law makes two technical corrections to Department of Human Services' appropriations.

The law moves a \$200,000 grant for a project to help formerly incarcerated adults into its intended category under "Child and Economic Support Grants." It also corrects the funding amounts to the department's adoption assistance and relative custody assistance programs.

Sponsored by Rep. Thomas Huntley (DFL-Duluth) and Sen. Melissa Wiklund (DFL-Bloomington), the law takes effect retroactively to July 1, 2013.

HF2655/SF2004\*/CH156

[SF2004\\*](#) / HF2655 / CH156

House Chief Author: [Huntley](#)

Senate Chief Author: [Wiklund](#)

**Effective Dates:** 7/1/2013, retroactively **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# Law aims to reduce heroin, opiate overdose deaths

More people will have access to a medication that counteracts an opiate overdose and a new law will also protect those who call for help during a drug overdose incident.

The legislation, named "Steve's Law" after a man who died of a heroin overdose in 2011, will give police officers, emergency responders, social service workers and others permission to use an opiate antagonist called naloxone hydrochloride starting Aug 1, 2014. Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Chris Eaton (DFL-Brooklyn Center) sponsor the law.

People who seek medical assistance for someone believed to be experiencing a drug overdose or people in need of medical attention for a drug overdose will receive some criminal protections. They will not be charged for possession, use or sharing of drugs or drug paraphernalia if, among other things, the evidence comes from the call for medical help. Individuals on probation or other types of release will receive the same protection and not have their release revoked. In cases of prosecution for which immunity is not provided, seeking medical assistance may count as a mitigating factor. This portion of the law takes effect July 1, 2014.

Doctors, other health professionals who can prescribe an opiate antagonist, and persons in possession of an opiate antagonist that has been prescribed by a health care professional have already begun receiving protection under the new law.

Effective May 10, 2014, they are free from certain civil or criminal liability for actions related to prescribing and administering the medication. This includes cases when the name on the prescription does not match the person who later administers the medication or the person who receives it. Individuals who are not health professionals, who give the medication to someone they believe, in good faith, is suffering a drug overdose, will also receive protection.

HF2307/SF1900\*/CH232

[SF1900\\*](#) / [HF2307](#) / [CH232](#)

**House Chief Author:** [Schoen](#)

**Senate Chief Author:** [Eaton](#)

**Effective Dates:** Sec. 1 and 2: 8/1/2014 Sec. 3: 5/10/2014 Sec. 4: 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# Faribault hospital board permitted to sell land in private sale

A Faribault hospital can sell parcels of its land in a private sale, removing the requirement that it advertise for bids.

Effective May 1, 2014, and sponsored by Rep. Patti Fritz (DFL-Faribault) and Sen. Vicki Jensen (DFL-Owatonna), the law permits the District One Hospital District in Faribault to sell any of the district's property at private sale without advertising for bids, despite a 1963 special law banning any sale. Once the sale is concluded and all outstanding debt is paid, each city and town in the district must petition the hospital board for dissolution under the general law governing hospital districts.

The law also repeals the special laws establishing and governing the hospital district. This is effective upon the cities and towns in the district filing the petition for dissolution.

HF2840\*/SF2399/CH183

[HF2840\\*](#) / [SF2399](#) / [CH183](#)

House Chief Author: [Fritz](#)

Senate Chief Author: [Jensen](#)

**Effective Dates:** Sec. 1: 5/1/2014 Sec. 2: Effective upon local action. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# Minnesota among states to legalize medical cannabis

The state's medical cannabis law, sponsored by Rep. Carly Melin (DFL-Hibbing) and Sen. D. Scott Dibble (DFL-Mpls), takes effect May 30, 2014.

The law will establish a patient registry through which patients can become certified to obtain medical cannabis. In limited circumstances, the patient may obtain assistance in the use of medical cannabis by their parent, legal guardian, or registered designated caregiver. To qualify for the registry, patients must have a certification from a certain health care practitioner of a diagnosis of at least one of nine qualifying medical conditions:

- cancer, if the underlying condition or treatment produces one or more of the following: severe or chronic pain, nausea or severe vomiting; or cachexia or severe wasting;
- glaucoma;
- human immunodeficiency virus or acquired immune deficiency syndrome;
- Tourette's syndrome;
- amyotrophic lateral sclerosis;
- seizures, including those characteristic of epilepsy;
- severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- Crohn's disease;
- terminal illness, with a probable life expectancy of under one year, if the illness or its treatment produces one or more of the following: severe or chronic pain, nausea or severe vomiting; or cachexia or severe wasting; or
- any other medical condition or its treatment approved by the commissioner.

Patients can use medical cannabis in the form of a pill or liquid, such as oil, or vaporize the medical cannabis but only with the use of liquid. Smoking medical cannabis is expressly prohibited and no leaf form will be distributed. By following specific conditions, the Department of Health can add additional permitted forms of using medical cannabis, excluding smoking, and additional qualifying medical conditions. The first condition the department must consider adding is intractable pain.

The department will maintain the registry, which it can use to gather data on the drug's use in the state. A 23-member task force will also study the impact of medical cannabis.

Two medical cannabis manufacturers will begin distribution in the state by July 1, 2015, unless the manufacturers cannot meet the deadline and need one six-month extension. The department will register the manufacturers by Dec. 1, 2014, unless officials request a six-month extension to find manufacturers that meet the security and employee requirements as described in the new law.

Under the law, patients in the registry program will receive protection against certain discrimination in housing, employment, visitation rights and other areas. While patients cannot be arrested or prosecuted simply for participation in the program, using or possessing medical marijuana in currently prohibited ways, such as while driving or on public transportation, will still not be permitted.

The law also describes penalties associated with lying to law enforcement about medical cannabis as a way to avoid prosecution, using false information to apply to the patient registry, giving medical cannabis to someone not in the registry and other related offenses.

HF2846/SF2470\*/CH311

**[SF2470\\*](#) / HF2846 / CH311**

**House Chief Author:** [Melin](#)

**Senate Chief Author:** [Dibble](#)

**Effective Dates:** **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# Various processes and regulations upgraded for DHS

A new law, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Jeff Hayden (DFL-Mpls), affects social service providers licensed by the department.

Effective May 10, 2014, the law will allow the Department of Human Services to confirm a welfare fraud investigation exists as long as disclosure does not interfere with that investigation. It also changes the data classification so that when there is a temporary license suspension that data would be considered public.

Licensed child care providers will have to perform monthly safety inspections of play yards and pack-and-plays, in addition to playpens and cribs. The law includes a list of items providers will need to inspect on those products. There is a new specification that legal, non-licensed child care providers have training in CPR, including CPR for infants and children. These providers must also have first aid training.

Changes to eligibility for higher reimbursement rates from the state to chemical and mental health programs are in the law. For chemical dependency treatment programs that serve parents with their children, higher reimbursement rates are allowed when the programs meet certain requirements related to child care, recordkeeping and services provided by licensed professionals.

It also updates background study details in the licensing process so the commissioner can conduct a fingerprint-based background study if the commissioner is uncertain of the of the person's identity.

HF1114/SF1340\*/CH228

[SF1340\\*](#) / [HF1114](#) / [CH228](#)

House Chief Author: [Abeler](#)

Senate Chief Author: [Hayden](#)

Effective Dates: Various Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# 'Unsession' law repeals outdated Human Services projects

Rep. Tina Liebling (DFL-Rochester) and Sen. John Hoffman (DFL-Champlin) sponsor a new law that will repeal outdated projects and one-time reports and will remove incorrect references in statutes.

Some of the department areas receiving attention under the law are children and families, health care, chemical and mental health and continuing care services. Most of the law's provisions take effect Aug. 1, 2014.

Certain portions of the chemical and mental health section have an effective date of May 17, 2014. These portions include changes to:

- Medical Assistance coverage of children's mental health services;
- qualification criteria for professionals working within the scope of practice of a children's mental health services provider;
- continuing education requirements for child mental health workers;
- services excluded from Medical Assistance reimbursement by removing certain services from the list of services currently excluded from reimbursement; and
- where the department will publish authorization standards for children's mental health services covered under Medical Assistance.

HF2950\*/SF2397/CH262

[HF2950\\*](#) / [SF2397](#) / [CH262](#)

House Chief Author: [Liebling](#)

Senate Chief Author: [Hoffman](#)

**Effective Dates:** 8/1/2014 except Art. 3, Sec. 13-17: 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# Advanced practice registered nurses released from some practice limitations

With a look toward increasing health care access in Minnesota, a new law will launch advanced practice registered nurses (APRNs) into greater independence and give them more job security.

Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Kathy Sheran (DFL-Mankato) sponsor the law.

To prescribe medications and perform other forms of patient care, APRNs previously needed to have written agreements with physicians. If the physician stopped practicing or moved to another place, APRNs needed to find someone else with which to have a written agreement.

Effective Jan. 1, 2015, the new law mostly eliminates such agreements, requiring APRNs to work 2,080 hours under an agreement with a physician, clinical nurse specialist or another APRN. After completing those hours, they will gain the ability to independently practice as a clinical nurse specialist, nurse anesthetist, nurse-midwife or nurse practitioner. In these roles they can serve as primary care providers and prescribe medication and treatment, diagnose illnesses and perform other duties related to patient care.

Other provisions of the law include: listing criteria for APRN licensure; adding APRNs to disciplinary actions for license violations; making APRNs subject to a fee if they practice without a current license; and requiring the Board of Nursing to create an Advanced Practice Nursing Advisory Council.

HF435/SF511\*/CH235

[SF0511\\*](#) / [HF0435](#) / [CH235](#)

House Chief Author: [Schoen](#)

Senate Chief Author: [Sheran](#)

**Effective Dates:** Sec. 1-40: 1/1/2015 Sec. 41-42: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# Health claims database work group created

A work group will be established to recommend expanded uses of the state's all-payer claims database. Health plans and third-party administrators of health plans will submit health billing information to a database and that information will be de-identified.

Additional uses of the database will be limited to the following:

- examining the effectiveness of health care homes for the general population;
- studying hospital readmission rates;
- analyzing differences in health care costs, use and other criteria across geographic areas and communities; and
- evaluating a model the departments of health and human services use to look at health care costs in the state.

The database was originally created so that the Department of Health could implement "peer grouping" to compare health costs and quality of care across hospitals and clinics. The new law ends peer grouping unless the Legislature reauthorizes it.

The portion of the law that establishes the work group takes effect April 30, 2014, while the rest of the law takes effect Aug. 1, 2014. Rep. Thomas Huntley (DFL-Duluth) and Sen. Tony Lourey (DFL-Kerrick) are the sponsors.

HF2656\*/SF2106/CH178

[HF2656\\*](#) / [SF2106](#) / [CH178](#)

House Chief Author: [Huntley](#)

Senate Chief Author: [Lourey](#)

**Effective Dates:** Sec. 1-3: 8/1/2014 Sec. 4: 4/30/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# Newborn screening program gets new start

The Department of Health's newborn screening program will be modified starting Aug. 1, 2014.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. John Marty (DFL-Roseville), a new law will alter the newborn screening program, which includes the testing of a baby's blood spot for rare diseases.

It will allow the department to store the blood spot and test results of newborns unless parents request otherwise using required forms. At age 18, individuals can request the department destroy their blood spot and test results.

Under the law, the department will have authority to use the information to develop new tests and for research related to newborn screening program. Other research will need the written consent of parents or individuals 18 years old and older.

HF2526/SF2047\*/CH203

[SF2047\\*](#) / HF2526 / CH203

House Chief Author: [Norton](#)

Senate Chief Author: [Marty](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Health and Human Services - 2014

### Regular Session

# E-cigarette, tanning bed changes part of new health policy law

Sponsored by Rep. Tina Liebling (DFL-Rochester) and Sen. Kathy Sheran (DFL-Mankato), a ban on the use of electronic cigarettes will apply to daycares, hospitals, clinics and other health care facilities, some facilities licensed by the Health and Human Services departments, as well as buildings owned or operated by the following: state, county, city, township, charter, school district, Minnesota State Colleges and Universities and the University of Minnesota. The law takes effect July 1, 2014.

The ban on use excludes restaurants and bars, while giving businesses, in general, permission to adopt their own electronic cigarette rules.

Rep. Tara Mack (R-Apple Valley), a member of the conference committee, explained the e-cigarette provisions in this way: "The legislative intent of this language is that private businesses would not be mandated to prohibit the use of electronic cigarettes."

Effective Aug. 1, 2014, or Jan. 1, 2015, depending on contract dates, e-cigarettes will also not be sold at kiosks. The liquid for use in e-cigarette devices must come in child-resistant packaging beginning Jan. 1, 2015.

While youth younger than 18 years old will no longer be allowed to use a tanning bed using ultraviolet light, the warning sign on the dangers of tanning bed use does not include the updated language that had been amended on the House floor. Youth are still permitted to use tanning equipment that does not involve ultraviolet light, such as spray tanning equipment.

Other aspects of the law, effective July 1, 2014, unless otherwise noted:

- calls for the implementation of the autism plan designed by the Legislative Autism Disorder Task Force. This is effective May 22, 2014;
- modifies the prescription monitoring program, which includes permission for the Board of Pharmacy to join an interstate monitoring program and to take part in studying expanded use of the program;
- updates to the Board of Pharmacy in several areas, such as disciplinary actions, and drug compounding regulations;
- requires a notice for certain mammogram results; and
- creates a task force by July 31, 2014 that would look at past TANF spending and recommend programs that could receive funding from the General Fund, allowing MFIP to receive a greater share of TANF funding.

HF2402\*/SF2087/CH291

[HF2402\\*](#) / [SF2087](#) / [CH291](#)

House Chief Author: [Liebling](#)

Senate Chief Author: [Sheran](#)

**Effective Dates:** Various **Effective Dates:** See *chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Health and Human Services - 2014

### Regular Session

# New law updates nursing home reimbursements

A new law that affects reimbursement rates to nursing homes takes effect July 1, 2014.

It updates state statute to reflect current practices regarding the criteria nursing homes use to assess and then classify residents. Resident classification affects the reimbursement rate a nursing home receives for that resident.

The law also specifies what type of documentation a resident or related party may receive when requesting reconsideration of a classification. A nursing home may not charge a fee for providing the documentation.

Other changes include the addition of special audit criteria the Department of Health will apply to nursing homes that submit late assessments or fit other markers and the removal of obsolete references.

Rep. Joe Schomacker (R-Luverne) and Sen. Melissa Wiklund (DFL-Bloomington) are the sponsors.

HF1179/SF894\*/CH147

[SF0894\\*](#) / HF1179 / CH147

House Chief Author: [Schomacker](#)

Senate Chief Author: [Wiklund](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Higher Education - 2014

### Regular Session

# Higher education statutes will get a spring cleaning.

Sponsored by Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. Terri Bonoff (DFL-Minnetonka), a new law deletes obsolete language, streamlines and otherwise tidies up higher education law.

Effective Aug. 1, 2014, the law clarifies statutes relating to student health; eligibility for grants; when an institution may use the word "college" in its name; and other statutes dealing with the functions of higher education.

HF2647\*/SF2224/CH149

[HF2647\\*](#) / SF2224 / CH149

House Chief Author: [Pelowski](#)

Senate Chief Author: [Bonoff](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Housing - 2014

### Regular Session

# Housing 'Unsession' law sheds old programs

Old programs and outdated language relating to the Housing Finance Agency will move out of state statute.

Sponsored by Rep. Jason Isaacson (DFL-Shoreview) and Sen. Melissa Wiklund (DFL-Bloomington), a new law:

- repeals obsolete programs and several more programs the agency operates under different areas;
- eliminates a duplicative bonding report cities already complete;
- gives the agency the authority to publish certain required information online rather than in a separate publication; and
- sunsets a joint report between the agency and the Department of Human Services on the Minnesota Families Affordable Rental Investment Fund to Jan. 15, 2020.

The new law is effective Aug. 1, 2014.

HF2763/SF2569\*/CH161

[SF2569\\*](#) / [HF2763](#) / [CH161](#)

House Chief Author: [Isaacson](#)

Senate Chief Author: [Wiklund](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Housing - 2014

### Regular Session

# New small servicer definition loses sunset date

A new law clarifying that the statute of limitations on provisions in law that would make a mortgage invalid will withstand court scrutiny.

Rep. Melissa Hortman (DFL-Brooklyn Park) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the law that is effective May 2, 2014.

The law also makes permanent a definition of "small servicer," a company that services mortgages, to apply to companies that process less than 125 foreclosure sales in a year. The definition is in addition to the federal definition that applies the term to servicers who process less than 5,000 foreclosures in a year.

HF2213\*/SF2445/CH191

[HF2213\\*](#) / [SF2445](#) / [CH191](#)

House Chief Author: [Hortman](#)

Senate Chief Author: [Latz](#)

Effective Dates: 5/2/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Housing - 2014

### Regular Session

# Domestic violence victims given process to terminate a lease

UPDATED 6/25/2014.

Sponsored by Rep. Steve Simon (DFL-Hopkins) and Sen. Jeff Hayden (DFL-Mpls), a new law will allow such victims to end their lease and will prevent landlords from evicting renters simply because they have experienced domestic violence or related crimes, so long as the tenant has paid their rent through the month the tenancy terminates. The tenant will also forfeit their deposit when terminating the tenancy under this chapter.

To end a lease, the law specifies from whom individuals can receive a document that certifies they are victims of domestic abuse, criminal sexual conduct or stalking. Such documents include a no-contact order, a written statement by law enforcement or a court official and a signed form as described in law.

The law also establishes a Housing Opportunities Made Equitable pilot project that instructs the Minnesota Housing Finance Agency to work with certain minority groups to design an affordable housing program to help address the homeownership racial disparity gap.

The law takes effect July 1, 2014.

HF859\*/SF771/CH188

[HF0859\\*](#) / [SF0771](#) / [CH188](#)

House Chief Author: [Simon](#)

Senate Chief Author: [Hayden](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Local Government - 2014

### Regular Session

# Met Council addresses money management in new law

The Metropolitan Council is set to gain more ways to manage its money.

Effective Aug. 1, 2014, a new law will add the council to the list of counties and cities allowed to invest in repurchase agreements, reverse repurchase agreements, futures contracts and options. Cities with such investment authority have a population of over 200,000 people and counties have at least one city of over 200,000 people.

According to its website, "The Metropolitan Council is the regional policy-making body, planning agency, and provider of essential services for the Twin Cities metropolitan region."

Per current practice, before exercising the additional investment authority, eligible governments and the Met Council must have written investment policies and procedures on specified topics and have a process for review of their investment strategies and their financial portfolio.

A "Minnesota joint powers investment trust" that consists of some counties, cities and school districts will gain authority to invest in certificates of deposit under conditions regarding the maturity of the deposits and the financial rating of the institutions with which the trust invests.

Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Susan Kent (DFL-Woodbury) sponsor the law.

HF2319/SF2255\*/CH292

[SF2255\\*](#) / [HF2319](#) / [CH292](#)

House Chief Author: [Nelson](#)

Senate Chief Author: [Kent](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# Scrap metal fee schedule implemented for APS

Sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Chuck Wiger (DFL-Maplewood), a new law amends provisions enacted in 2013 regarding the automated property system (APS) for tracking scrap metal and scrap vehicle transactions. It delays the effective date of implementation from January 2015 to Feb. 15, 2016, and provides a grace period for enforcement.

In addition, it establishes the parameters for implementing a fee schedule for the use of APS. The city of Minneapolis (which operates APS) may charge a fee to scrap metal and scrap vehicle operators for transactions entered into the system. The fee may not exceed 72 cents for the first four years of operation. Thereafter, the city may adjust the fee to reflect the ongoing, reasonable costs of operating and maintaining the system. The fee schedule may be examined by the state auditor at any time.

Finally, the city must file a biennial report with the state auditor and the Legislature that outlines the fee schedule and costs associated with APS.

HF2605\*/SF2595/CH190

[HF2605\\*](#) / [SF2595](#) / [CH190](#)

House Chief Author: [Mahoney](#)

Senate Chief Author: [Wiger](#)

Effective Dates: Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# County reinvestment program undergoes some changes

Hennepin County's multijurisdictional reinvestment program will gain a new member: the Hennepin County Housing and Redevelopment Authority.

The new law, sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Jeff Hayden (DFL-Mpls), will also allow any watershed district with all or some of its territory in Hennepin County to join the program. Hennepin County and the county Housing and Redevelopment Authority could partner with other jurisdictions in the county, including the Three Rivers Park District, the Minneapolis Park Board and other cities.

The program will no longer be required to address all topics listed in the statute, such as housing rehabilitation, park redevelopment, pollution and lake shore improvement. Instead program participants have the option to address such issues in its plans, which can also include economic development.

Hennepin County will also have authority to include in its capital improvement plans costs for projects in a transit improvement area.

The law takes effect Aug. 1, 2014.

HF2613/SF2162\*/CH229

[SF2162\\*](#) / [HF2613](#) / [CH229](#)

House Chief Author: [Nelson](#)

Senate Chief Author: [Hayden](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Local Government - 2014

### Regular Session

# Some limits put on cities ability to annex

A new law can be viewed as a compromise between cities and towns on a city's ability to annex property.

Sponsored by Rep. Andrew Falk (DFL-Murdock) and Sen. Lyle Koenen (DFL-Clara City), the law is effective May 10, 2014, and applies to boundary adjustments commenced or annexation ordinances adopted on or after that date.

A compromise between cities and towns, the law allows a city to annex unincorporated property by ordinance in certain situations. One is when "the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality receives a petition for annexation from all the property owners of the land. Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres."

It also changes the definition of "property owner" in statutes governing boundary adjustments to mean the owner of any fee interest in land, as opposed to the fee owner of land. It also adds a definition governing boundary adjustments stating that "property description" or "boundaries of the area" are the legal description of the property.

HF1425\*/SF1353/CH220

[HF1425\\*](#) / [SF1353](#) / [CH220](#)

House Chief Author: [Falk](#)

Senate Chief Author: [Koenen](#)

Effective Dates: 5/10/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# Counties get clearance to sell tax-forfeited lands

Numerous Minnesota counties have been cleared to sell or convey pieces of tax-forfeited land bordering public waters.

Sponsored by Rep. Roger Erickson (DFL-Baudette) and Sen. Fong Hawj (DFL-St. Paul), the new law is the 2014 omnibus lands act. In addition to the tax forfeited land sales, the law:

- makes additions to the Snake River State Forest and deletes portions from the Greenleaf Lake State Recreation Area;
- merges Soudan Underground Mine State Park into the Vermilion State Park in St. Louis County;
- allows the city of Brainerd to purchase the Brainerd Dam on the Mississippi River;
- allows the state to sell surplus land within Lake Bronson State Park in Kittson County. The Department of Natural Resources doesn't deem the land to be needed for natural resources purposes and the proceeds will be used to acquire land within the park.

The law is effective May 10, 2014.

HF2301/SF2449\*/CH217

[SF2449\\*](#) / HF2301 / CH217

House Chief Author: [Erickson, R.](#)

Senate Chief Author: [Hawj](#)

**Effective Dates:** 5/10/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# St. Paul Port Authority offered meeting leniency

The St. Paul Port Authority will be able to conduct meetings without having all members gathered in the same room.

Effective Aug. 1, 2014, the law, sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Fong Hawj (DFL-St. Paul), will permit the St. Paul Port Authority to conduct its meetings by telephone or other electronic means as provided in law for state agencies, boards, commissions, or departments, and a statewide public pension plan, or committees or subcommittees of those entities.

The meeting can be conducted provided the following conditions are met:

- all members of the entity, wherever their physical location, can hear one another and can hear all discussion and testimony;
- members of the public present at the regular meeting location can hear all discussion and votes and participate in testimony;
- at least one member of the entity is physically present at the regular meeting location; and
- all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

HF2566\*/SF2166/CH206

[HF2566\\*](#) / [SF2166](#) / [CH206](#)

House Chief Author: [Mahoney](#)

Senate Chief Author: [Hawj](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# County can adopt county manager government structure

A new law will allow Dakota County to change its government structure without a referendum, as long as the county otherwise meets the conditions in general law for adoption of the county manager plan.

Sponsored by Rep. Rick Hansen (DFL-South St. Paul) and Sen. Katie Sieben (DFL-Newport), the law, effective upon county board approval, allows the Dakota County Board of Commissioners to adopt by resolution the county manager government structure. This means that the board can appoint a chief executive officer who is designated as county manager.

In this form of government, the county manager serves as the administrative head of the county and is responsible for the administration of county affairs and may, by resolution of the county board, serve as the head of any county department. In counties that adopt the county manager plan, various boards and commissions are abolished and placed under the county board, and the offices of the county auditor, treasurer and recorder are abolished.

HF2474/SF2076\*/CH167

[SF2076\\*](#) / [HF2474](#) / [CH167](#)

**House Chief Author:** [Hansen](#)

**Senate Chief Author:** [Sieben](#)

**Effective Dates:** Effective upon local action by Dakota County **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Local Government - 2014

### Regular Session

# New law allows five counties to make offices appointed

Five Minnesota counties can now begin the process of making selected government offices appointive rather than elective.

A new law will allow the county board of Jackson County to appoint the auditor-treasurer position and the county boards of Clay, Kandiyohi, Lake and Lyon counties to appoint the auditor-treasurer and recorder positions.

As part of the process, the county boards must notify residents and allow public comment at a regular meeting. Voters can petition to place the changes on the ballot.

The law is effective upon local compliance with state statute.

HF919/ SF629\*/CH146

[SF0629\\*](#) / HF0919 / CH146

House Chief Author: [Dill](#)

Senate Chief Author: [Bakk](#)

**Effective Dates:** Various, pending local action. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Local Government - 2014

### Regular Session

# Notaries can charge more for services

Effective Aug. 1, 2014, maximum fees for notary public services will increase from \$1 to \$5. Rep. Linda Runbeck (R-Circle Pines) and Sen. Roger Chamberlain (R-Lino Lakes) sponsor the law.

Some of the services notaries provide are for legal documents, oaths, deed acknowledgments and protest of unpaid bills.

HF155\*/SF238/CH301

[HF0155\\*](#) / SF0238 / CH301

House Chief Author: [Runbeck](#)

Senate Chief Author: [Chamberlain](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Local Government - 2014

### Regular Session

# Blue Earth County to oversee its library system

The Blue Earth County Board of Commissioners will be able to oversee the county library system.

The law will give the county board authority over the system except for responsibilities specifically assigned to the library board by the county board. The law is sponsored by Rep. Kathy Brynaert (DFL-Mankato) and Sen. Kathy Sheran (DFL-Mankato).

The law calls for the county board to appoint five members to the library board, along with a library director and other staff, as necessary. The library board will still be responsible for establishing policies and rules that govern library operations and have exclusive control of the collection and use of meeting rooms. The library board will review the annual operating budget and five-year capital plan all of which will be submitted to the county board for approval.

The law is effective upon local approval.

HF1455\*/ SF1275/CH148

[HF1455\\*](#) / SF1275 / CH148

House Chief Author: [Brynaert](#)

Senate Chief Author: [Sheran](#)

**Effective Dates:** Effective date pending local action by Blue Earth County. **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Local Government - 2014

### Regular Session

# Grand Rapids utilities commissioners seek increased terms

Utility commissioners in the city of Grand Rapids may move from appointed terms of three years to four-year terms.

A law, sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids), will give the city authority to pass an ordinance that will implement the term increases for the commissioners. The five commissioners will transition into their new terms so that the city appoints commissioners to no more than two open seats in a given year.

The law takes effect Aug. 1, 2014.

HF2968/SF2609\*/CH224

[SF2609\\*](#) / HF2968 / CH224

House Chief Author: [Anzelc](#)

Senate Chief Author: [Saxhaug](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Military and Veterans Affairs - 2014

### Regular Session

# Obsolete military affairs laws to be eliminated

A quintet of provisions relating to military affairs will be deleted from state statute.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park) and Sen. Alice Johnson (DFL-Spring Lake Park), a new law will eliminate provisions that are also in federal law, thereby making any state law duplicative.

The law takes effect Aug. 1, 2014.

The affected areas relate to computing continuous service for privileges and exemptions; having the moral character, capacity and general fitness of National Guard officers being determined by an efficiency board; disposition of surplus officers; discharges for enlisted members; and arms, uniforms and equipment.

HF2665\*/SF2311/CH152

[HF2665\\*](#) / SF2311 / CH152

House Chief Author: [Nelson](#)

Senate Chief Author: [Johnson](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Military and Veterans Affairs - 2014

### Regular Session

# Female veterans license plates to be made available

Female veterans will have the opportunity to be acknowledged on their vehicles in a way similar to veterans of various wars and conflicts or those who were awarded medals of distinction, such as a Silver Star.

Rep. Jerry Newton (DFL-Coon Rapids) and Sen. Alice Johnson (DFL-Spring Lake Park) sponsor a new law to create a license plate to commemorate women veterans.

Newton said there are about 29,000 women veterans in the state, and 15 percent of the current active duty force is female.

Like other specialized plates, the user would pay a \$10 fee to acquire the plates that would bear the inscription "WOMAN VETERAN."

The law takes effect Jan. 1, 2015, except for a provision whereby the veterans affairs and public safety commissioners, a representative of the Minnesota Women Veterans Initiative Working Group and any interested Minnesota veterans service organization shall design the plate subject to the approval of the public safety commissioner. That section takes effect Aug. 1, 2014.

HF1916\*/SF1978/CH207

[HF1916\\*](#) / [SF1978](#) / [CH207](#)

House Chief Author: [Newton](#)

Senate Chief Author: [Johnson](#)

Effective Dates: Sec. 1 and 2: 1/1/2015 Sec. 3: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Military and Veterans Affairs - 2014

### Regular Session

# October designated as Veterans' Voices Month

Men and women who have served or are serving their country already have days sprinkled throughout the year in their honor, such as Memorial Day or Veterans Day.

A new law designates October as Veteran's Voices Month to heighten awareness of veterans in the state. Minnesota is the first state to create such a designation.

Rep. Jerry Newton (DFL-Coon Rapids) and Sen. John Hoffman (DFL-Champlin) sponsor the law that is effective May 17, 2014.

Supporters want schools, organizations and communities to hold events that honor veterans and educate students and citizens about the skills, knowledge and contributions of veterans to our democracy. The idea has been piloted at Northfield High School, where a group of students read books and do other activities in October. That month was chosen because it leads into Veterans Day.

HF2812\*/SF2700/CH267

[HF2812\\*](#) / [SF2700](#) / [CH267](#)

House Chief Author: [Newton](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 5/17/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Law sets standards for dealing with pregnant inmates

Since 2009, there have been 66 times when an inmate serving time at the state's women's prison has given birth. Corrections officials said that approximately a dozen women incarcerated there at any one time are expecting a child.

Sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Barb Goodwin (DFL-Columbia Heights), a new law will set standards and consistency for officials dealing with pregnant inmates at local or state correctional facilities. The goal is to improve birth outcomes and promote the infant's lifelong health and wellness.

The state is constitutionally obligated to provide adequate care of inmates, but law supporters noted no laws or statewide standards previously existed pertaining to the needs of pregnant and postpartum inmates.

Among its provisions, the law will:

- prohibit restraining a woman who is in labor;
- prohibit the use of waist chains or handcuffs behind the back of a pregnant woman or a woman who has given birth within the preceding three days;
- require a pregnancy test of every inmate, unless she is over age 50 or refuses the test;
- require testing a pregnant woman for sexually transmitted diseases;
- provide appropriate educational materials and resources related to pregnancy, child birth, breast feeding, and parenting;
- provide access to free doula services or services at the inmate's expense; and
- provide access to a mental health assessment, and treatment, if necessary, while the inmate is pregnant and postpartum.

All but one section of the law takes effect July 1, 2014, and applies to state correctional facilities beginning on that date, and applies to other correctional facilities beginning July 1, 2015.

The lone section with a different effective date â€” May 14, 2014 â€” states that an advisory committee of stakeholders may be convened to "consider standards of evidence-based care, treatment, and education for incarcerated women and girls who are pregnant or have recently given birth." A report is due the Legislature by Jan. 15, 2015.

HF2833/SF2423\*/CH234

[SF2423\\*](#) / [HF2833](#) / [CH234](#)  
House Chief Author: [Laine](#)  
Senate Chief Author: [Goodwin](#)

**Effective Dates:** Sec. 1-3: 7/1/2014 Sec. 4: 5/14/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Restructuring criminal vehicular operation statutes

The state's criminal vehicular operation statutes will be reordered without making changes to language or penalties of the offenses.

The law will separate the criminal vehicular homicide, criminal vehicular operation resulting in bodily harm and criminal vehicular operation resulting in death or injury to an unborn child offenses into separate sections.

This will enable the Judicial Branch to more effectively and efficiently transmit information to the Public Safety Department's Driver and Vehicle Services Division. Currently, this information cannot be transmitted electronically, only manually, by court staff. Supporters would like to avoid human error.

Additionally, separating the two offenses will provide more accurate information in public court calendars so judges, court staff and the public would not mistake a criminal vehicular operation case for a more serious criminal vehicular homicide case.

Rep. Linda Slocum (DFL-Richfield) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor the law that takes effect Aug. 1, 2014.

HF2928/SF2571\*/CH180

[SF2571\\*](#) / [HF2928](#) / [CH180](#)

House Chief Author: [Slocum](#)

Senate Chief Author: [Champion](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# False claims protection extended for cops, corrections employees

Someone who files a false record, such as one not related to a valid lien or security agreement, with intent to retaliate against a judicial or court officer, prosecutor, defense attorney, sheriff and county recorder because of their performance of official duties is guilty of a felony could receive up to five years imprisonment.

Sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Julianne Ortman (R-Chanhassen), a new law adds to the list a police officer or chief of police and a state or local corrections official or employee.

The law is effective Aug. 1, 2014.

Supporters said that people shouldn't have to face fraudulent claims just for doing their job.

For example, they noted that targets are often not aware of the filing of a fraudulent lien until they try to sell their home or refinance their mortgage and find they are facing bogus claims. It can then take countless hours of work to undo the damage and months or even years to restore one's credit rating.

HF1585/SF1360\*/CH306

[SF1360\\*](#) / HF1585 / CH306

House Chief Author: [Cornish](#)

Senate Chief Author: [Ortman](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Outdated, redundant statutes eliminated

References to the obsolete Advisory Council on Battered Women and Domestic Abuse will no longer exist in state statute.

Rep. Michael Paymar (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the law that largely updates, clarifies and reduces statutes relating to four departments within the Department of Public Safety. It takes effect Aug. 1, 2014.

However, it also requires the Public Safety Department to develop recommendations "for the collection and reporting of comprehensive, statewide data on victims of domestic abuse â€" including data related to law enforcement response, arrests, and prosecution." A report is due the Legislature by Jan. 15, 2016.

The department is also permitted, under the law, to award grants to programs that provide support services to victims of crime or sexual assault.

As for ridding statute books of obsolete verbiage, language is no longer needed in the area of emergency communications networks because the issues are addressed federally. The law also eliminates references to an arson report from the state fire marshal's office that has been replaced by a fire records database that has been updated and people report into so a report on fire in the state can be produced on a regular basis.

The Bureau of Criminal Apprehension is ordered to obtain contact information for all wireless telecommunications providers authorized to do business in the state and quarterly disseminate that information to all public safety answering points. Although the language is only four years old, it will be removed because the BCA now works directly with providers on cell tracking technology making the statute unnecessary.

Other changes include:

- deletion of an organizational structure for the Division of Criminal Statistics that no longer exists;
- revoking the commerce commissioner's authority as the ex-officio state fire marshal and transferring powers and duties to the Public Safety Department, where the state fire marshal has been a division since 1969;
- removing a 30-day storage of motor vehicle report, for which no evidence exists that the statute was ever used; and
- repealing the Weed and Seed program that was created in 1996, but is no longer active.

The Office of the Revisor of Statutes, in consultation with the Department of Public Safety, is to prepare draft legislation showing technical and other necessary statutory changes resulting from these repealers and submit it to the Legislature by Jan. 1, 2015.

HF3017\*/SF2620/CH212

**[HF3017\\*](#) / [SF2620](#) / [CH212](#)**  
**House Chief Author:** [Paymar](#)  
**Senate Chief Author:** [Latz](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Fifth-degree criminal sexual conduct expansion

Sponsored by Rep. Andrea Kieffer (R-Woodbury) and Sen. Matt Schmit (DFL-Red Wing), a new law, effective Aug. 1, 2014, states that a person may be sentenced for up to seven years imprisonment, instead of five, if they are found guilty of nonconsensual sexual contact with another person or lewd exhibition of the genitals in front of a minor under age 16 if the person has a qualifying offense in the previous seven years.

Qualifying prior offenses are first-through fifth-degree criminal sexual conduct, criminal sexual predatory conduct, indecent exposure or child pornography possession.

An offense in another state will be a qualifying prior offense; however, a juvenile adjudication will not be considered a prior offense.

Supporters said enhancing the penalties could have long-term impacts on preventing future, and potentially more serious, assaults.

Additionally, a court will be allowed to stay a sentence up to six years, instead of two, for a person who commits a gross misdemeanor fifth-degree criminal sexual conduct offense.

HF1851\*/SF1675/CH270

[HF1851\\*](#) / [SF1675](#) / [CH270](#)

House Chief Author: [Kieffer](#)

Senate Chief Author: [Schmit](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Compensation process created for people wrongly imprisoned

A compensation process will be created for cases where a person was exonerated of a crime for which they were wrongfully incarcerated.

Sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis Park), the so-called "Imprisonment and Exoneration Remedies Act" will create a compensation panel of three attorneys or judges to determine damages to be awarded.

Under the law, effective Aug. 1, 2014, at least \$50,000, but no more than \$100,000, will be authorized to the claimant for each year of imprisonment and at least \$25,000, but no more than \$50,000, per year served on supervised release or as a registered sex offender, to be prorated for partial years served. Persons exonerated before this law's effective date will have two years to begin an action.

Minnesota Management & Budget will submit recommendations of the compensation panel to the Legislature for consideration during the ensuing session.

A claim for compensation will arise if:

- the person was convicted of a felony and served any part of the imposed sentence in prison;
- the person was convicted of multiple charges arising out of the same behavioral incident and the person was exonerated for all of those charges;
- the person did not commit or induce another person to commit perjury or fabricate evidence to cause or bring about the conviction; and
- the person was not serving a term of imprisonment for another crime at the same time. If the person served additional prison time due to the conviction that is the basis of the claim, the person may make a claim for that portion of time served in prison during which the person was serving no other sentence.

Minnesota will join 29 other states and the District of Columbia with compensation statutes.

Lesch said there are only three cases in the last 50 years where this law would apply, although two of them have occurred in recent years.

Michael Hansen served almost seven years in state prison for a crime he did not commit. Accused of killing his 3-month-old daughter, he was exonerated when a district court ruled that a medical examiner erred regarding the cause of his daughter's death.

Koua Fong Lee was released after 33 months in prison when it was determined his Toyota experienced an acceleration malfunction causing it to crash into another car in St. Paul, killing a man and two children.

[HF2925\\*](#) / SF2480 / CH269

House Chief Author: [Lesch](#)

Senate Chief Author: [Latz](#)

Effective Dates: 07/01/14 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# DOC outdated, redundant statutes to disappear

A state correctional facility in Sauk Centre no longer exists. Statutory language relating to the facility will also disappear.

It is one provision in the Department of Corrections so-called "unsession" language that largely removes redundant and archaic language that has no affect on department services. These changes are expected to have no financial benefit to the state.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Ron Latz (DFL-St. Louis Park), the law is effective Aug. 1, 2014.

The law deletes an obsolete reference to inmates serving on the board of directors or holding executive positions that are subordinate to the correctional staff on prison corporations, industry or educational programs. The department used to have a program like this, but it was unsuccessful.

In the days when the department sold farm equipment, a farmer who could not make payment on a piece of machinery bought from the department could have his land taken as a payment. The statute is no longer needed because the department does not sell farm equipment.

Other provisions include:

- deletion of a reference to the obsolete PREPARE program at the Red Wing juvenile facility;
- removing obsolete language about a former University of Minnesota program that trained new probation and supervised release officers;
- removal of obsolete language in the Interstate Compact on Juveniles to maintain agreement with other states in the compact;
- repealing language to the Work and Learn Facilities for Youth, a program that no longer exists;
- repealing language relating to conservation camps, which the department no longer runs; and
- repealing language for the Grants-In-Aid to Counties for Adult Detention Facilities and Programs and Juvenile Detention Services Subsidy Program. The department has not distributed funds to counties for construction of adult or juvenile detention facilities in at least 15 years.

HF2755\*/SF2410/CH218

[HF2755\\*](#) / [SF2410](#) / [CH218](#)

House Chief Author: [Paymar](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Domestic abuse victim protection using GPS gets governor OK

Domestic abuse victims may get added protection through global positioning system (GPS) monitoring of their perpetrator.

Sponsored by Rep. Clark Johnson (DFL-North Mankato) and Sen. Susan Kent (DFL-Woodbury), a new law will permit a judicial district to use GPS monitoring in domestic abuse cases provided the district adopt standards and the victim agrees to the monitoring.

Johnson said 37 Minnesotans lost their lives in 2013 as a result of domestic violence, district courts handled more than 27,000 domestic violence cases in 2011 and in 2010 there were 929 victims of a violation of an order for protection or restraining order.

The law is based on a voluntary Ramsey County pilot program, where it has been used as a condition of pretrial release. In addition to letting that program continue, the law will allow other judicial districts to establish standards to implement similar pilot programs. The authority for the pilot programs sunsets on Aug. 1, 2017.

Effective retroactively from Jan. 15, 2014, the chief judge of a judicial district may convene an advisory group to develop and biennially update standards for the use of electronic monitoring and GPS devices to protect victims of domestic abuse.

A minimum of six statewide standards for pretrial release are spelled out in the law, including addressing financial costs, accessibility and implications to the defendant and victim; requiring informed and voluntary consent by the victim prior to the accused being released on electronic monitoring and providing for time-sensitive procedures if a victim withdraws consent; and ongoing training to continually improve victim safety and defendant accountability.

In the Ramsey County program, the person accused of the crime wears an ankle bracelet and the victim gets another device. If the accused gets within an exclusion zone, both they and the victim are notified, often by text message. According to the law, "a violation of a location restriction by a defendant in a situation involving a victim and defendant who are both mobile does not automatically constitute a violation of the conditions of the defendant's release."

A judicial district participating in a pilot project must report to the Legislature one year after the date of implementation. This takes effect Aug. 1, 2014.

HF2295/SF2736\*/CH263

**[SF2736\\*](#) / [HF2295](#) / [CH263](#)**

**House Chief Author:** [Johnson, C.](#)

**Senate Chief Author:** [Kent](#)

**Effective Dates:** Sec. 1 and 4: 5/17/2014 Sec. 2: Retroactively effective from 1/15/2014 Sec. 3: 8/1/2014 **Effective Dates:** See *chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Part-time peace officers to be phased out

There are now 175 licensed part-time peace officers in Minnesota.

Effective June 30, 2014, a new law will prohibit law enforcement agencies from hiring new part-time peace officers, prohibit part-time peace officers from moving to new agencies and prohibit the Board of Peace Officer Standards and Training from licensing new part-time peace officers. Current part-time officers will be grandfathered in until they retire, so long as they stay at their current department.

Supporters of the law, sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Ron Latz (DFL-St. Louis Park), said it will help professionalize peace officers in the state. Additionally, they say a part-time licensed officer doesn't have to have the college or the skills courses that a full-time officer does, part-time peace officers can only work a certain amount of hours and cannot work independently without at least access to supervision.

Full-time peace officers – of which there are more than 10,000 in Minnesota – have a minimum two-year degree, and there are about 1,500 eligible candidates who have graduated from a college program and have passed the licensing exam. Supporters said most of them would gladly take a part-time job in hopes of moving to a full-time position.

HF2654\*/SF2559/CH244

[HF2654\\*](#) / [SF2559](#) / [CH244](#)

House Chief Author: [Cornish](#)

Senate Chief Author: [Latz](#)

Effective Dates: 6/30/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Extra protection provided for prosecutor, judge

In a court of law, rage at the situation is sometimes directed at the prosecuting attorney or judge whose job it is to find someone guilty of their misdeeds or may be involved in a highly charged family-related case for things like child protection.

A new law, effective Aug. 1, 2014, will provide enhanced penalties for someone who assaults or causes the death of a prosecuting attorney or judge engaged in the performance of his or her official duties.

It is sponsored by Rep. Tony Cornish (R-Vernon Center) and Sen. Dave Thompson (R-Lakeville).

Currently in statute, someone who causes the death of a police or correctional officer performing their official duties is sentenced to life imprisonment. In the case of assaulting such a person with the use of deadly force, the criminal faces up to 20 years imprisonment and a \$30,000 fine.

HF1226\*/SF712/CH302

[HF1226\\*](#) / [SF0712](#) / [CH302](#)

House Chief Author: [Cornish](#)

Senate Chief Author: [Thompson](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Crime lab accreditation will be required

All forensic laboratories in the state that create or analyze evidence for use in a court proceeding will need to be accredited by the recognized national accreditation body by Jan. 1, 2015, or have begun the process to be accredited within three years.

Sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Ron Latz (DFL-St. Louis Park), the law is designed to ensure public confidence by making certain that sample testing in a laboratory is performed correctly.

The law, effective Aug. 1, 2014, has nothing to do with employee certification in specific areas of forensics, such as toxicology or DNA.

The issue came to light in 2012 when troubles at the St. Paul police crime lab caused thousands of samples to be reexamined. It was later determined that there were some procedural problems with the manner in which the lab had been operated.

Accreditation information will need to be submitted to the Public Safety Department. However, the commissioner could grant a one-year extension to a laboratory that has not been accredited within the previous three years.

There are currently four accredited labs in the state: two at the Bureau of Criminal Apprehension, one at the Hennepin County Sheriff's Office and another in Minneapolis.

HF2156/SF1725\*/CH168

[SF1725\\*](#) / HF2156 / CH168

House Chief Author: [Rosenthal](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Regional partnerships between counties encouraged

The Community Corrections Act allows one or more contiguous counties, having an aggregate population of 30,000 or more, to receive grants from the Corrections Department to assist in the development, implementation and operation of community-based corrections programs in lieu of incarceration.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Gary Dahms (R-Redwood Falls), a new law, effective Aug. 1, 2014, will change statute that authorizes county participation in the act.

Current statute requires that participating counties acting as joint powers entities be contiguous. The border requirement has been removed by the new law, while all other participatory standards remain in place.

Supporters said counties should be encouraged to cooperate and work in regional partnerships. They noted that many joint agreements already exist across the state between non-contiguous counties, such as 911 services, county engineers, human services directors or purchasing agreements.

HF2953\*/SF2592/CH209

[HF2953\\*](#) / [SF2592](#) / [CH209](#)

House Chief Author: [Johnson, S.](#)

Senate Chief Author: [Dahms](#)

Effective Dates: 08/01/14 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Competency hearings combined into one

A group of court assessments will be able to be completed jointly.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Julianne Ortman (R-Chanhassen), a new law will require that when a court orders competency, mental illness or deficiency and civil commitment examinations, they will be combined when both parties agree.

The only time this dual tracking would occur is when the prosecutor and defense attorney believe it is in the best interest of the person.

The law is effective Aug. 1, 2014.

HF1557/SF685\*/CH171

[SF0685\\*](#) / HF1557 / CH171

House Chief Author: [Hilstrom](#)

Senate Chief Author: [Ortman](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Crime of violence definition to expand

Three crimes will be added to the state's crime of violence statute while a pair of others will be removed.

Sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Vicki Jensen (DFL-Owatonna), a new law adds felony fifth-degree assault, felony domestic assault and felony domestic assault by strangulation. If convicted of a crime of violence, a person is prohibited for life from legally possessing firearms in the state.

Coming off the list would be theft of a motor vehicle and theft involving property from a burning, abandoned or vacant building or from an area of destruction caused by a civil disaster, riot, bombing or the proximity of battle.

The law is effective Aug. 1, 2014.

HF263\*/SF1772/CH260

[HF0263\\*](#) / SF1772 / CH260

House Chief Author: [Paymar](#)

Senate Chief Author: [Jensen](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Victim protection program concerns addressed

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. Since being established in 2006, the Legislature has tweaked the program as new issues arise.

Changes made last year caused some problems for those wanting to sell their home, and a new law should help. Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Barb Goodwin (DFL-Columbia Heights), the law is effective April 30, 2014.

Under the changes, when a program participant owns property, their name will be separated from the address on the property record. Both will be considered private data and it will not be permissible for them to be shared together.

The Office of the Secretary of State operates the program, that allows more than 3,000 participants to use a post office box as their mailing address, and mail is then forwarded through the Safe at Home program to the participant's physical address. The identity and location data of a program participant is classified as private data.

HF2276\*/SF2277/CH173

[HF2276\\*](#) / [SF2277](#) / [CH173](#)

**House Chief Author:** [Holberg](#)

**Senate Chief Author:** [Goodwin](#)

**Effective Dates:** Sections 1 and 2 are effective 4/30/2014. Compliance with section 2 prior to its effective date is not a violation of chapter 13. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Series of proposals aim to combat synthetic drug problem

The manufacturing and distribution of synthetic drugs continues to remain problematic; however, a new law aims to reduce the chances of these ending up in Minnesota communities.

Sponsored by Rep. Erik Simonson (DFL-Duluth) and Sen. Roger Reinert (DFL-Duluth), the law largely comes from recommendations of the bipartisan House Select Committee on Controlled Substances and Synthetic Drugs that met between the 2013 and 2014 sessions. The law takes effect Aug. 1, 2014, unless otherwise noted.

Supporters said the goal is to stop the retail sale of synthetic drugs and create an educational campaign.

Made in labs, synthetic cannabinoids are up to 100 percent more powerful than typical marijuana. According to the select committee's report, "it is a plant material sprayed with extremely potent psychotropic drugs containing ever-changing chemical strains. These products are most often sold in head shops, smoke shops or over the Internet. They are often labeled as incense and marked 'Not for Human Consumption' in a weak attempt to skirt federal law. They have a hallucinogenic effect similar to PCP (angel dust)."

The law expands the statutory definition of drug to include "any compound, substance, or derivative which is not approved for human consumption by the United States Food and Drug Administration or specifically permitted for human consumption by Minnesota law," and when introduced to the body induces an effect similar to that of scheduled drugs.

The Board of Pharmacy will be permitted to issue cease and desist orders to businesses selling synthetic drugs that contain a banned substance. An affected business will be entitled to an administrative hearing to fight the order. If no hearing is requested within 30 days of the order, the cease and desist order will become permanent and will remain in effect until modified or vacated by the board.

Effective May 22, 2014, the Pharmacy Board will be able to continue using expedited rulemaking authority to ban newly identified substances used to make synthetic drugs. That authority was set to expire Aug. 1, 2014. Additionally, legislative ratification of a decision is no longer required.

Sellers of synthetic drugs offering the drug under the false pretense that the substance is legal shall be ordered by a court to pay restitution for the costs and expenses resulting from the sale. This could include emergency response costs and potential long-term care costs for the victim.

To increase awareness about the dangers of synthetic drugs, \$163,000 is appropriated in fiscal year 2014 from the General Fund to the Department of Human Services. To be formulated and implemented by the Education, Health, Human Services and Public Safety departments, the campaign is to be aimed at a broad audience, but contain targeted messages for youth and young adults. This is effective May 22, 2014.

HF2446\*/SF2028/CH285

[HF2446\\*](#) / [SF2028](#) / [CH285](#)  
House Chief Author: [Simonson](#)  
Senate Chief Author: [Reinert](#)

**Effective Dates:** Sec. 1-7: 8/1/2014 Sec. 8 and 10: 5/22/2014 Secs. 9 and 11: 7/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* *The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Reciprocity for military law enforcement experience sought

The number of years of military duty and military police-type activity that veterans need to qualify for in service requirements in Minnesota will be reduced from five years to four. The requirements are used to determine reciprocity for the peace officer standards and training (POST) board exam.

For example, someone with four years of military service as an MP would qualify under a new law, or someone with two years of military experience and a two-year degree.

Sponsored by Rep. Steve Drazkowski (R-Mazeppa) and Sen. Bruce Anderson (R-Buffalo), the law, effective May 17, 2014, will also change the phrase "active service experience" to "cumulative service experience" to qualify members of the National Guard and Reserve for the potential change.

Under current law, an individual is allowed to take the exam if they have:

- five years of active service as a military law enforcement officer;
- three years as a military law enforcement officer and have any two-year or longer degree from an accredited post-graduate institution; or
- five years of cumulative military and/or civilian law enforcement experience.

Supporters, including the POST Board, said this parallels interstate reciprocity for law enforcement.

They also emphasized that this does not guarantee licensure; only the right to sit for the examination.

HF1915\*/SF2143/CH268

**[HF1915\\*](#) / [SF2143](#) / [CH268](#)**

**House Chief Author:** [Drazkowski](#)

**Senate Chief Author:** [Anderson](#)

**Effective Dates:** 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Law aims to help supervise predatory offenders

Technical changes in statute are aimed to help the Bureau of Criminal Apprehension assist local law enforcement and probation agencies with the supervision of predatory offenders and to treat them in a consistent manner.

Sponsored by Rep. Linda Slocum (DFL-Richfield) and Sen. Ron Latz (DFL-St. Louis Park), the law contains a variety of policy changes to the predatory offender registration law and sex offender sentencing provisions. It takes effect Aug. 1, 2014.

Among the changes, the law will expand the list of offenses and circumstances requiring offenders to register as a predatory offender, including promoting prostitution of a minor, receiving profits from the prostitution of a minor and sex trafficking.

Additionally, all conduct related to electronic communications with a child relating to or describing sexual conduct or distributing materials that relates to or describes sexual conduct will be an offense requiring registration.

A corrections agent or law enforcement authority overseeing registration will have permission to photograph any predatory offender at any time. Under current law, this mandatory provision requires photographs every six months, but applies only to Level III sex offenders.

Predatory offenders who fail to supply required location information to the BCA shall, rather than may, have their registration period extended by five years to better reflect current practice.

HF2574/SF2546\*/CH259

[SF2546\\*](#) / [HF2574](#) / [CH259](#)

House Chief Author: [Slocum](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Domestic abusers, stalkers prohibited from having a firearm

Someone who commits domestic violence or stalks another person will lose access to a firearm.

A new law, effective Aug. 1, 2014, prohibits a person subject to an order for protection in a child or domestic abuse case from possessing weapons for the length of the order under certain circumstances and requires them to surrender their firearms as would someone convicted of a domestic assault or stalking offense if being prohibited from possessing firearms is part of their punishment.

Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Ron Latz (DFL-St. Louis Park) are the sponsors.

The law does not allow the government to take guns without due process or a court conviction nor does it allow illegal searches and seizures.

An abusing party will need to transfer possession of their firearms to a law enforcement agency, a federally licensed firearms dealer or a third party within three business days. A person who accepts a transferred firearm from an abusing party or offender will be guilty of a gross misdemeanor if the offender obtains possession of the transferred firearm while prohibited from possessing firearms.

HF3238\*/SF2639/CH213

[HF3238\\*](#) / [SF2639](#) / [CH213](#)

House Chief Author: [Schoen](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Expungement changes forthcoming with new law

Minnesotans who made a past mistake will have an easier time at earning a second chance.

Sponsored by Rep. Carly Melin (DFL-Hibbing) and Sen. Bobby Joe Champion (DFL-Mpls), a new law will reform the state's expungement laws in hopes of helping people with a past transgression find jobs and housing. The law is effective Jan. 1, 2015, unless otherwise noted.

The changes are largely based on the interim efforts of the bipartisan Expungement Working Group, which was chaired by Champion and Rep. Debra Hilstrom (DFL-Brooklyn Center).

Expungement is a way for judges to seal criminal records, including arrests, prosecutions and convictions for people who have demonstrated changed behavior after completing punishment.

A 2013 court decision ruled that judges can only expunge court records, not additional data collected by state agencies, such as arrest and investigative records. This has led to expunged offenses still surfacing during certain background checks.

The section that deals most substantively with the adult Supreme Court case will spell out what records can be sealed in both the executive and judicial branch.

Supporters said the change will clarify that if somebody has successfully completed terms of a diversion program or a stay of adjudication and have not been charged with a new crime for at least a year since completion of the program they would be eligible for an expungement. Petitioners still must show clear and convincing evidence that their record is holding them back, that they've shown evidence of progress in their life and that the expungement would outweigh the burden on public safety in the state.

The law will extend expungement eligibility to the following circumstances:

- the petitioner has successfully completed the terms of a diversion program or stay of adjudication and has not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication;
- the petitioner was convicted of or received a stayed sentence for a petty misdemeanor or misdemeanor and has not been convicted of a new crime for at least two years since discharge of the sentence for the crime;
- the petitioner was convicted of or received a stayed sentence for a gross misdemeanor and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime; or
- the petitioner was convicted of or received a stayed sentence for one of more than 50 listed felony violations and has not been convicted of a new crime for at least five years since discharge of the sentence. The list does not include person offenses or crimes of violence.

For juvenile cases, the law will require a court to expunge all juvenile arrest and delinquency proceedings if it determines the expungement will benefit the subject without being a detriment to public safety. Juvenile records

sealed prior to the law's enactment will continue to be subject to current law. Criteria are established for judges to evaluate requests for juvenile expungements.

Other provisions include:

- an expungement could be provided without the filing of a petition in certain cases where the prosecutor agrees to the sealing of a criminal record, unless the court determines the interest of public safety in keeping the record outweighs the disadvantages to the petitioner;
- effective Aug. 1, 2014, a business screening service must delete a criminal record from its database if it knows the record has been sealed, expunged or is the subject of a pardon;
- allowing for exchange of expunged records between criminal justice agencies without a court order;
- requiring court administration to notify the petitioner of entities receiving the expungement order;
- effective May 15, 2014, clarifying that an agency or jurisdiction can submit private information they hold on someone to the court when responding to a petition for expungement and notify the petitioner that they may request that information be sealed;
- allowing eviction records to be sealed when there is a finding in favor of the defendant;
- clarifying that an expungement order seals a record, regardless of whether it would otherwise be public law enforcement or criminal history data or public under other law;
- creation of a special protection for persons who have a record expunged and the person is deemed a crime victim and there is a nexus between the expunged record and the person's status as a crime victim;
- expunged records can be opened for teacher licensure; and
- keeping an expunged record private if the human services commissioner disqualifies an applicant based on the expunged record.

A civil remedy, including damages and reasonable attorney fees, is provided for individuals whose expunged record is opened or exchanged in a manner not authorized by law.

HF2576\*/SF2214/CH246

[HF2576\\*](#) / [SF2214](#) / [CH246](#)

House Chief Author: [Melin](#)

Senate Chief Author: [Champion](#)

**Effective Dates:** Sec. 1, 2, 4, 5, 15: 8/1/2014 Sec. 3, 6-8, 10-14: 1/1/2015 Sec. 9: 5/15/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# 'Tony Caine's Law' provides for lifeguards at public beaches

Public beaches that provide lifeguards will need to ensure that the lifeguards meet certain safety requirements. The new law does not require lifeguards.

Effective Jan. 1, 2015, the law will require lifeguards at beaches owned or operated by local governments to have certification in first aid and CPR for adults and children. Lifeguards must also be certified as a lifeguard through the American Red Cross or similar program. They are responsible for the safety of the people at the beach.

The law is named after Tony Caine, a 6-year-old who drowned at a beach in Minneapolis in 2012. Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Ann Rest (DFL-New Hope) are the sponsors.

HF2621/SF2245\*/CH179

[SF2245\\*](#) / HF2621 / CH179

House Chief Author: [Freiberg](#)

Senate Chief Author: [Rest](#)

Effective Dates: 1/1/2015 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Public Safety - 2014

### Regular Session

# Judges given more say over forfeiture actions

If a spouse commits a crime that involves a vehicle, such as drive-by shooting or controlled substance offenses, the vehicle could be forfeited, even if it is owned by another party.

A new forfeiture law addresses what some say is an unfair action toward a person who may not have knowledge of the crime.

Sponsored by Rep. Susan Allen (DFL-Mpls) and Sen. Dave Thompson (R-Lakeville), the law is effective Aug. 1, 2014.

The law moves the burden of proof for forfeiture action by the judge and lays out criteria for consideration, which includes if:

- a person is convicted of the criminal offense related to the action for forfeiture; or
- a person is not charged with a criminal offense related to action for forfeiture based in whole or in part on the person's agreement to provide information regarding the criminal activity of another person.

The law maintains the burden of proving by clear and convincing evidence that the property was used in the underlying offense.

HF1082/ SF874\*/CH201

[SF0874\\*](#) / HF1082 / CH201

House Chief Author: [Allen](#)

Senate Chief Author: [Thompson](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Warrantless arrest time expands in some domestic abuse cases

The amount of time law enforcement has to make a warrantless arrest of a domestic abuse perpetrator in gross misdemeanor and misdemeanor cases will triple.

Sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Vicki Jensen (DFL-Owatonna), the new law increases the time from 24 to 72 hours. It is effective Aug. 1, 2014.

Saying it's a way to help with victim safety, supporters said that repeat offenders who know the system often hide out until the time has elapsed to avoid a warrantless arrest then return home and potentially abuse again.

The current situation is especially problematic, they added, on weekends and holidays when law enforcement staffing is reduced and in rural areas where longer distances must often be travelled to arrest a perpetrator.

HF2141\*/SF2042/CH177

[HF2141\\*](#) / [SF2042](#) / [CH177](#)

House Chief Author: [Rosenthal](#)

Senate Chief Author: [Jensen](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Public Safety - 2014

### Regular Session

# Warrant required to track cell phone info

The government can now access the location of a person's cell phone without establishing probable cause, acquiring a search warrant or letting the person know it is occurring.

That will change effective Aug. 1, 2014.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Branden Petersen (R-Andover), a new law will require law enforcement to secure a tracking warrant before collecting electronic device location information from individuals if the entity "shows that there is probable cause the person who possesses an electronic device is committing, has committed, or is about to commit a crime." The warrant could be for a maximum of 60 days. Extensions of up to 60 days may be granted by a judge.

It will also require government entities to notify an individual within 90 days that their information has been tracked. Delayed notice will be permitted in certain exceptional circumstances.

No evidence obtained in violation of the law will be admissible in any criminal, civil administrative or other proceeding. A 10-day notice must be given to parties when evidence collected is to be offered as evidence in a legal dispute; however, it can be waived "if the judge finds that it was not possible to furnish a party with the required information ten days before the trial, hearing, or proceeding and that a party will not be prejudiced by the delay in receiving the information."

A report will be due the Legislature on or before Nov. 15 of each even-numbered year on how often and the circumstances under which these orders are being granted along with information on denied applications.

The law will provide a government entity the ability to obtain location information without a tracking warrant in the following cases:

- when the electronic device is reported lost or stolen by the owner;
- in order to respond to the user's call for emergency services;
- with the informed, affirmative, documented consent of the owner or user of the electronic device;
- with the informed, affirmative consent of the legal guardian or next of kin of the owner or user if the owner or user is believed to be deceased or reported missing and unable to be contacted; or
- when an emergency involving immediate danger of death or serious physical injury to a person who possesses an electronic communications device requires obtaining information relating to the emergency without delay and the search is narrowly tailored to address the emergency.

HF2288/SF2466\*/CH278

**[SF2466\\*](#) / [HF2288](#) / [CH278](#)**

**House Chief Author:** [Atkins](#)

**Senate Chief Author:** [Petersen, B.](#)

**Effective Dates:** 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Select Topic - 2014

### Regular Session

[SF2546\\*](#) / [HF2574](#) / [CH259](#)

House Chief Author: [Slocum](#)

Senate Chief Author: [Latz](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Streamlining statutes: labor, tech and the Met Council

The Biomedical Innovation and Commercialization Initiative began as a collaboration between the University of Minnesota, medical technology groups and investors to promote economic development through biomedical research and technology. The Department of Employment and Economic Development established the board that runs the initiative.

Its repeal in a law sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Dan Sparks (DFL-Austin) comes as the University of Minnesota has taken over many of the board duties.

Other repealed programs or advisory groups include those that are no longer funded, unnecessary or outdated. A repealed program does not necessarily mean the program ceases to exist. For example, the biomedical initiative will continue as will the Youthbuild program that does not need the repealed advisory group called for in 1988 because the program is now fully funded.

The two additional state agencies covered in the new law are the Metropolitan Council and the Office of MN.IT Services. As with other "Unsession" laws signed this session, the law accomplishes multiple goals regarding statute regulating, in this case, the three agencies:

- strikes out references to repealed statutes;
- clarifies existing language;
- eliminates duties the council and MN.IT no longer perform;
- updates agency duties to match current practices;
- repeals duplicate statutes, such as those giving the council authority to create certain advisory committees; and
- removes dates and deadlines that have already passed, such as a 1976 deadline for the council to develop guidelines allowing it to determine whether an issue could impact the metro area.

The law takes effect Aug. 1, 2014.

HF2948\*/SF2617/CH271

[HF2948\\*](#) / [SF2617](#) / [CH271](#)

House Chief Author: [Mahoney](#)

Senate Chief Author: [Sparks](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# 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 changes.

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.

HF2546\*/SF1997/CH275

[HF2546\\*](#) / SF1997 / CH275

House Chief Author: [Yarusso](#)

Senate Chief Author: [Latz](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Tribes can now take ownership of cemeteries

Effective May 10, 2014, and sponsored by Rep. Susan Allen (DFL-Mpls) and Sen. David Brown (DFL-Becker), a new law allows the transfer of cemetery land and property owned or controlled by a town, statutory or home rule charter city, or county to a cemetery association or corporation formed under the laws of a federally recognized Indian tribe in Minnesota.

HF3043\*/SF1660/CH214

[HF3043\\*](#) / [SF1660](#) / [CH214](#)

House Chief Author: [Allen](#)

Senate Chief Author: [Brown](#)

Effective Dates: 5/10/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Cesar Chavez Day in Minnesota set for March 31

A new law seeks to recognize the contributions Latinos have made to the state and to provide an opportunity for residents to learn about the Latino community, according to language in the law.

Chavez was a community organizer who worked to improve the working conditions of Latinos throughout the country.

Sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Patricia Torres Ray (DFL-Mpls), the law takes effect Aug. 1, 2014.

HF1631/SF1509\*/CH159

[SF1509\\*](#) / [HF1631](#) / [CH159](#)

House Chief Author: [Mariani](#)

Senate Chief Author: [Torres Ray](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# 'Unsession' law repeals Grand Rapids Commission

A Grand Rapids commission will be disbanded.

The Central School in Grand Rapids was renovated as retail and community space, thus making the Central School Commission obsolete. As such, a new law, effective Aug. 1, 2014, repeals the commission and all of its related powers from statute.

The commission was created in 1986 to have operational responsibility of the Central School building along with the authority to retain a custodian and a manager. It was also allowed to adopt bylaws to designate officers and committees.

Rep. Tom Anzelc (Balsam Township) and Sen. Tom Saxhaug (DFL-Grand Rapids) are the sponsors.

HF2970/SF2608\*/CH195

[SF2608\\*](#) / HF2970 / CH195

House Chief Author: [Anzelc](#)

Senate Chief Author: [Saxhaug](#)

Effective Dates: 8/1/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Recipients can now incur costs before grant money issued

Certain state grant recipients can now incur expenses up to 60 days before a grant is issued.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Kari Dziedzic (DFL-Mpls), and effective Aug. 1, 2014, the law will allow state agencies to permit a specifically named, legislatively appropriated, noncompetitive grant recipient to incur expenses based on an agreed upon work plan and budget for up to 60 days before the grant money is established in the state accounting system.

HF2217\*/SF2500/CH187

[HF2217\\*](#) / SF2500 / CH187

House Chief Author: [Murphy, M.](#)

Senate Chief Author: [Dziedzic](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Technical changes made to Minnesota Historical Society

A new law makes a number of technical changes to provisions governing the Minnesota Historical Society.

Sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Bev Scalze (DFL-Little Canada), the law, mostly effective Aug. 1, 2014:

- includes the Minnesota Historical Society as a "state" entity for purposes of a law governing tort claims;
- clarifies citations to federal laws that govern the director's responsibilities;
- changes Meighen Store to Historic Forestville in the state historic sites law;
- adds the Sibley Historic Site and Mill City Museum to the list of the state's historic sites; and
- changes the name of the State History Center to the Minnesota History Center and fixes its address.

HF2937\*/SF2654/CH174

[HF2937\\*](#) / [SF2654](#) / [CH174](#)

House Chief Author: [Freiberg](#)

Senate Chief Author: [Scalze](#)

Effective Dates: Sec. 1-7: 8/1/2014 Sec. 8: 4/30/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Procurement processes streamlined

Changes in state law will simplify statutes governing Department of Administration procurement contracts.

Sponsored by Rep. Mike Nelson (DFL-Brooklyn Park) and Sen. Alice Johnson (DFL-Spring Lake Park), the law consolidates the state's procurement-related statutes into Chapter 16C, making it easier for companies seeking to do business with the Department of Administration.

Effective Aug. 1, 2014, the law makes conforming changes; eliminates obsolete references to telegraph service and the operation of a records center and micrographics service; and renumbers state statutes governing procurement.

HF2617/SF2312\*/CH196

[SF2312\\*](#) / HF2617 / CH196

House Chief Author: [Nelson](#)

Senate Chief Author: [Johnson](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Buying property will get less expensive for state agencies

A price cap will be placed on what a seller can receive if their property is sold to the state.

A new law, effective Aug. 1, 2014, and sponsored by Rep. Lyndon Carlson Sr. (DFL-Crystal) and Sen. Terri Bonoff (DFL-Minnetonka), will prohibit state agencies from paying more than 10 percent over the appraised value of any property they buy. The Departments of Natural Resources and Transportation, and the Board of Water and Soil Resources are not included in the new law but have laws and policies specific to them that provide similar protections for use of public funds.

By Jan. 15, 2015, the commissioner of Minnesota Management & Budget must report to ranking legislative members what information and documentation related to the parties' administrative costs should be required before the state agrees to acquire real property or an interest in real property. The report must make recommendations on whether there should be any exceptions to the new law to protect the public interest.

HF2093/SF2175\*/CH304

[SF2175\\*](#) / [HF2093](#) / [CH304](#)

House Chief Author: [Carlson](#)

Senate Chief Author: [Bonoff](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Revisor's bill clarifies laws

The so-called revisor's law, which cleans up ambiguities, unintended results, and oversights found in this session's legislation, is historically one of the last pieces of legislation acted on by the Legislature. This year is no exception with the law being assigned the last chapter number of the session. It is sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Ron Latz (DFL-St. Louis Park).

In part, the law clarifies intent of a provision in this session's second omnibus tax law regarding funding for the Lewis and Clark Regional Water System. It notes that the oversight board for the project will need to certify to the commissioner of revenue the federal aid allocated to the project for the calendar year.

This law's effective dates are dependent on the provisions needing clarification.

HF3302\*/SF2929/CH313

[HF3302\\*](#) / [SF2929](#) / [CH313](#)

House Chief Author: [Freiberg](#)

Senate Chief Author: [Latz](#)

Effective Dates: **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Ballot question on legislative pay clarified

Minnesotans will still have the chance to vote on whether legislators should set their own pay, but a new law is intended to help clarify the ballot question.

Sponsored by Rep. Jason Metsa (DFL-Virginia) and Sen. Kent Eken (DFL-Twin Valley), the law amends a 2013 law that will allow voters to decide if an amendment should be added to the state's constitution allowing a citizen council to set legislators' salaries. It will take effect if voters approve the amendment.

The law also:

- amends the proposed constitutional amendment by stating that none of the members of the citizens council may be the spouse of a current legislator a current legislative employee, a current or former judge or constitutional officer, or a current executive or judicial employee (The language proposed in 2013 forbids current or former legislators or lobbyists from serving on the council);
- changes the ballot question to refer to "state lawmakers;"
- adds a title for the constitutional ballot question: "Remove Lawmakers' Power to Set Their Own Pay;" and
- contains legal language creating the Legislative Salary Council contained in the proposed constitutional amendment.

If voters pass the amendment, legislators will no longer set their own salary. Instead, a council of 16 citizens (eight people appointed by the chief justice of the Supreme Court and eight people appointed by the governor) would set legislative salary.

HF3169\*/SF2575/CH282

[HF3169\\*](#) / [SF2575](#) / [CH282](#)

House Chief Author: [Metsa](#)

Senate Chief Author: [Eken](#)

**Effective Dates:** Effective upon adoption constitutional amendment proposed under Laws 2013, chapter 124.

**Effective Dates:** See *chapter summary in the file link above*.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Health insurance relief possible for disabled corrections employees

The Department of Corrections will pay employer contributions into the health and dental insurance of certain former employees who were assaulted by an inmate while on the job, and who are permanently disabled.

The law is inspired by the condition of a former employee who experienced such a situation. Rep. Paul Rosenthal (DFL-Edina), who sponsors the law with Sen. Barb Goodwin (DFL-Columbia Heights), said an inmate at the Stillwater prison "brutally" attacked the employee in 2010, leaving him with a traumatic brain injury.

The man's health insurance premiums have increased from under \$200 a month to \$1,600 a month, explained Rosenthal.

According to the new law, the department will pay the hospital, medical and dental benefits of "totally and permanently" disabled employees until age 65, provided that:

- the person was assaulted by an inmate at a department institution;
- the employee participated in the general plan of the state's retirement system; and
- employee contributions continue.

If the employee had benefits coverage for dependents at the time employment ended, such coverage would continue.

The employer contribution takes effect retroactively from July 1, 2013, and the law applies to events occurring on or after Oct. 1, 2010.

HF2147/SF1737\*/CH158

**[SF1737\\*](#) / [HF2147](#) / [CH158](#)**

**House Chief Author:** [Rosenthal](#)

**Senate Chief Author:** [Goodwin](#)

**Effective Dates:** Persons assaulted by an inmate on or after October 1, 2010. Employer contributions required must be made retroactive to July 1, 2013. **Effective Dates:** See *chapter summary in the file link above*.

\* *The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Some advisory groups disbanded

Over the years, 162 advisory groups have been established to review and make recommendations to the Legislature on a variety of subjects. They got their own review over the 2013-2014 biennium.

The result is a new law doing away with 31.

Rep. Diane Loeffler (DFL-Mpls), who sponsors the law with Sen. Katie Sieben (DFL-Newport), called the effort a "good spring cleaning," that honors the time and talent that state residents put in to improve the services provided by the state. The law is effective May 22, 2014.

The Legislative Commission on Planning and Fiscal Policy is charged with reviewing these groups and making recommendations. A bipartisan group surveyed the organizations for their mission, membership, meeting dates, reports and recommendations and made their recommendation to the commission.

The new law repeals the: Public Employee Insurance Program Labor Management Committee; Voting Systems Contracts Advisory Committee; Collaborative Governance Council; Advisory Committee for Technology Standards for Accessibility and Usability; Minnesota Employees Insurance Program Advisory Committee; Veterans Health Care Advisory Council; Property Tax Working Group; Higher Education Veterans Assistance Steering Committee; Land Use Advisory Committee; County Subsurface Sewage Treatment System Advisory Committee; Interagency Native Vegetation Task Force; Reinvest in Minnesota Clean Energy Program Technical Committee; Academic Excellence Foundation; County State-Aid Highway Advisory Committee and Municipal State-Aid Highway Advisory Committee (combined into a new joint county/municipal committee); Renewable Hydrogen Initiative Advisory Committee; Energy Research and Education Advisory Committee; Energy Advisory Task Force; Real Estate Appraiser Advisory Board; Youth Employment Grants Advisory Committee; Community-Oriented Police Grant Program Advisory Committee; Weed and Seed Grant Program Committee; Forensic Laboratory Advisory Board; Fire Protection Advisory Council; Battered Women Advisory Council; Uniform Consumer Information Guide Advisory Committee; Medical Assistance Peer Advisory Task Force; Medical Assistance Vendor Advisory Task Force; Health Care Reform Review Council; Services to Persons with Developmental or Physical Disabilities Task Force; and the Steering Committee on Performance and Reform Outcomes.

HF1863\*/SF1776/CH286

[HF1863\\*](#) / [SF1776](#) / [CH286](#)

**House Chief Author:** [Loeffler](#)

**Senate Chief Author:** [Sieben](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Funds for claims against the state approved

More than \$80,000 will be paid out to people who have filed claims against the state.

Sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Jim Carlson (DFL-Eagan), a new law authorizes the state to pay out more than \$73,000 from the General Fund in fiscal year 2015 to settle claims against the Department of Corrections related to injuries sustained in state correctional facilities or while a person was participating in sentence-to-serve programs. Effective July 1, 2014, the appropriation is available until June 30, 2015.

Nearly \$11,000 will also be paid to workers who were not compensated in full by a contractor that performed work as part of a Department of Transportation project. The authorization for that disbursement took effect May 17, 2014.

HF3241\*/SF2805/CH252

[HF3241\\*](#) / [SF2805](#) / [CH252](#)

House Chief Author: [Murphy, M.](#)

Senate Chief Author: [Carlson](#)

**Effective Dates:** Sec. 1: 7/1/2014 Sec. 2: 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## State Government - 2014

### Regular Session

# Data practices commission to study privacy rights

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. D. Scott Dibble (DFL-Mpls), a new law, effective May 2, 2014, creates the Legislative Commission on Data Practices and Personal Data Privacy to study issues relating to government data practices and individuals' personal data privacy rights, and to review legislation on these issues.

The commission will consist of four senators and four House members, with no more than two from the majority caucus in each chamber. The four legislative members may elect up to four former legislators to serve as nonvoting members of the commission. Members will serve two-year terms. The commission chair will alternate between the House and Senate each biennium. The law also requires legislative staff to provide administrative support and research assistance to the commission.

Initial appointments will be made by June 1, 2014. The first meeting must take place by June 15, 2014.

HF2120/SF2066\*/CH193

[SF2066\\*](#) / HF2120 / CH193

House Chief Author: [Holberg](#)

Senate Chief Author: [Dibble](#)

Effective Dates: 5/2/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## State Government - 2014

### Regular Session

# Open meeting law changed to reflect digital age

Sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Patricia Torres Ray (DFL-Mpls), a new law, effective Aug. 1, 2014, allows social media communication between elected officials and the general public.

Also included in the law is a provision that allows state agencies to post scheduled meetings on their websites along with an up-to-date schedule of upcoming meetings. Previously, state agencies were required to post meeting notices in the State Register, but, because of the register's deadlines for printing, notices must be sent in sometimes one week before a meeting. Freiberg said this can be a bit tricky when emergencies arise.

HF2236\*/SF2472/CH274

[HF2236\\*](#) / [SF2472](#) / [CH274](#)

House Chief Author: [Freiberg](#)

Senate Chief Author: [Torres Ray](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Taxes - 2014

### Regular Session

# Tax law provides \$443 million in relief

The hallmark of the first omnibus tax law of the session is conforming the state's tax code to several federal income tax provisions.

Sponsored by Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Rod Skoe (DFL-Clearbrook), the law also provides about \$443 million in property tax relief and repeals three business-to-business taxes enacted last year.

The law has various effective dates; however, many of the conformity provisions are retroactive to tax year 2013.

#### Tax time conformity

Bipartisan agreement was achieved to move the law forward before the income tax filing deadline of April 15.

Federal tax conformity provisions include:

- expansion of and increase to the Working Family Tax Credit to include more families;
- an average \$74 annual increase in the dependent care tax credit to qualifying families beginning in tax year 2014;
- the ability for more taxpayers to deduct college student loan interest;
- enabling businesses to offer employees tax-free assistance for tuition and adoption fees;
- an itemized deduction for mortgage insurance premiums;
- authority for people age 70½ or older to transfer up to \$100,000 from a traditional IRA or Roth IRA to a qualified charity; and
- beginning with the 2014 tax year, elimination of the so-called marriage penalty in the standard deduction. (Art. 1, Sec. 9)

Other items affecting personal taxes include:

- repeal of the gift tax section of law retroactive for gifts made after June 30, 2013; and
- modifications to the estate tax by adopting Minnesota's own rate and increasing the exemption amount from \$1 million to \$2 million (phased in over five years), rather than relying on old federal law, and adjusting the exclusion for qualified small business and farm property to reflect the increase in the general exemption. (Art. 3, Secs.1-8)
- (Art. 3, Secs.1-8)

#### Business-related taxes and credits

All three business-to-business taxes enacted last year were repealed as of March 31, 2014. Two of the taxes – the telecommunications equipment tax and the equipment repair tax – took effect July 1, 2013. No refund will be provided. The warehouse sales tax was set to take effect April 1, 2014.

The law will push back the effective date for an upfront sales tax exemption for capital equipment purchases from Sept. 1, 2014 to July 1, 2015.

With a carve-out directed at businesses in Greater Minnesota and those that are minority owned, the Angel Investment Tax Credit has been extended and expanded. It was set to sunset this calendar year. For 2014, the allocation will increase from \$12 million to \$15 million. A credit will be available in that amount for 2015 and 2016.

For tax years 2015 and 2016, \$7.5 million must be reserved for credits for qualifying minority- or women-owned small businesses located in Greater Minnesota. Any portion of the reserved amount not allocated by Sept. 30 of the taxable year will be available for allocation to other credit applications beginning on Oct. 1. (Art. 1, Secs. 1-7)

The law also allows a \$150 million one-time transfer on July 1, 2014, from the General Fund to boost the state's budget reserve, and directs a portion of future budget surpluses in certain conditions to increase the reserve to a level specified by the commissioner of management and budget. It also provides a \$1 million appropriation to the Revenue Department for the law's implementation. (Art. 6, Secs. 1-2, 16-17)

HF1777\*/SF75/CH150

[HF1777\\*](#) / [SF0075](#) / [CH150](#)

**House Chief Author:** [Lenczewski](#)

**Senate Chief Author:** [Skoe](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Taxes - 2014

### Regular Session

# Property tax relief key spending in new tax law

The omnibus supplemental tax law provides \$45 million in property tax relief, addresses some communities' water woes and shelters for puppies and kitties.

The Lewis and Clark Regional Water System project that would bring water to parts of southwestern Minnesota, including Worthington and Luverne, became a surprise component to end-of-session negotiations in an effort to gain bipartisan support for passage of a bonding law.

Rep. Ann Lenczewski (DFL-Bloomington) and Sen. Rod Skoe (DFL-Clearbrook) sponsor the tax law, which targets \$103 million in property tax relief, credits and refunds. The law has various effective dates.

The water project, which began construction in 2003, would pipe water from the Missouri River in South Dakota to several communities in Minnesota, Iowa and South Dakota.

To support completion of the project in Minnesota, the law will provide \$45 million in local bonding authority, with the local governments responsible for one-third of the debt service, while the state would be responsible for two-thirds, and allow the communities to use up to a half-cent sales tax to pay the debt service. (Art. 7, Secs. 1-7)

HF3167\*/SF2726/CH308

### Property tax relief supported

The signature spending proposed by the House and included in the new law is \$45 million in property tax relief for fiscal year 2015. This is achieved through increases in the homestead credit refund base on taxes payable in 2014 by 3 percent; and the renter property tax refund based on rent paid in 2013 by 6 percent; and a supplemental agricultural homestead market value credit payment for 2014; a permanent increase in the agricultural credit begins in 2015. These property tax provisions are expected to cost the General Fund \$41.5 million over the current biennium. (Art. 1, Secs. 2, 14, 16)

### A little of this and that

The new tax law can best be described as having a little of this and a little of that.

Included is:

- \$4.5 million in fiscal year 2014 and \$10 million thereafter to most Minnesota counties with public-access boat landings to help manage county-based aquatic invasive species prevention programs (Art. 1, Sec. 11);
- to a maximum of \$2,000 per child, the law provides \$2.6 million for a new reading tax credit for parents or guardians of students with certain disabilities such as dyslexia. This provision is effective for tax year 2014 only. (Art. 4, Sec. 22);
- retroactive to April 1, 2009, a sales tax exemption on certain purchases of durable medical devices, affecting the General Fund by \$1.5 million in fiscal year 2014 only (Art. 3, Sec. 31);

- a sales tax exemption for trail grooming equipment purchased by nonprofit snowmobile clubs (Art. 3, Sec. 14); and
- a sales tax exemption on prepared food, candy, beverages and alcoholic beverages for the National Council of State Legislatures annual summit to be held in Minneapolis in August 2014. (Art. 3, Sec. 38).

### **Firefighter retention, puppies and kitties**

The dwindling numbers of volunteer first responders in Greater Minnesota caught legislators' attention this session. The law establishes a three-year, 14-county pilot project aimed at improving retention and recruitment of these positions. Included is a \$500 stipend to be paid to each eligible first-responder in participating counties. (Art. 1, Sec. 1)

A request for sales tax amnesty was brought forward after a Department of Revenue audit showed that several nonprofit animal shelters had not been collecting sales tax on the adoption fees they charged for animal placement. The law establishes a voluntary compliance program that eliminates a shelter's liability for uncollected back taxes if it registers and begins collecting the tax by Jan. 1, 2015. (Art. 3, Sec. 38)

Several community requests were approved for changes to their tax-increment financing programs, bonds or adjustments to local sales taxes. The provisions affect Albert Lea, Baxter, Bloomington, Brainerd, Duluth, Eagan, Edina, Maple Grove, Mound, North St. Paul, Proctor, Savage and Shoreview. (Art. 3, Secs. 21-29, 34, 36; Art. 6, Secs. 1-13).

### **Other provisions in the law**

- extend the military pay income tax subtraction for National Guard members who serve in active guard/reserve status (Art. 4, Sec. 12);
- change the June accelerated sales tax remittance schedule (Art. 3, Secs. 4-5, 16, 19);
- raise the annual limit of non-taxable fundraiser sales for youth and senior citizen groups from \$10,000 to \$20,000 annually (Art. 3, Secs. 12-13);
- officially name the Bloomington "Old Cedar Avenue Bridge" (Art. 8, Sec.2); and
- appropriate \$250,000 in fiscal year 2015 for a study of how North Dakota's oil production impacts Minnesota's economy now and in the future. (Art. 2, Sec. 20)

**[HF3167\\*](#) / [SF2726](#) / [CH308](#)**

**House Chief Author:** [Lenczewski](#)

**Senate Chief Author:** [Skoe](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# MnDOT 'Unsession' law streamlines statutes

The Department of Transportation 'Unsession' law eliminates or updates dozens of obsolete and superfluous pieces of state statute.

Effective Aug. 1, 2014, and sponsored by Rep. Connie Bernardy (DFL-Fridley) and Sen. D. Scott Dibble (DFL-Mpls), the law:

- eliminates a report on jobs created or retained for MnDOT state-aid projects under \$5 million;
- adds passenger rail to a list of types of capital projects exempt from final advisory review by the Senate Finance Committee and House Ways and Means Committee;
- strikes language allowing funds from the town bridge account to be used to construct a culvert that replaces a deficient bridge;
- eliminates MnDOT authority to acquire lands to be used for driver's license exam stations;
- removes a mandated report to the House and Senate transportation committees on all projects funded by the American Recovery and Reinvestment Act of 2009;
- removes references to the now obsolete star city and county sign program;
- strikes a requirement a report on oil pipelines be delivered to the Legislature by Jan. 1, 1979;
- re-establishes and modifies permissible uses of state grants for local bridges in cities and towns with fewer than 5,000 residents, and removes a cap on the size of the grant;
- deletes a requirement from the 2013 transportation budget law that MnDOT report to the Commissioner of Minnesota Management & Budget concerning use of state road construction appropriations that were made before the current biennium;
- repeals authorization for outdoor telephone booths on highway right of way;
- repeals authorization to the transportation commissioner to add routes by order to the trunk highway system between legislative sessions to connect trunk highways and interstates;
- repeals a requirement state officials receive approval from the secretary of the Army before constructing a bridge over navigable waters; and
- repeals a section of law declaring it a gross misdemeanor against a railroad officer who employs an engineer who cannot read that is also chargeable against the engineer.

[HF3084\\*](#) / SF2616 / CH227

House Chief Author: [Bernardy](#)

Senate Chief Author: [Dibble](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# Transportation 'Unsession' bill axes out-of-date statutes

A transportation 'Unsession' law will wipe a slew of out-of-date language from state statute.

Gone from state law is a prescriptive list of early-20th century cars eligible for classic car license plates. Under the law, it is replaced by national lists of classic cars that its sponsor, Rep. Erik Simonson (DFL-Duluth), said would be updated more regularly. Sen. D. Scott Dibble (DFL-Mpls) is the Senate sponsor.

Among other provisions covered under the law, effective May 17, 2014, include those that:

- eliminate a requirement drivers park motor vehicles on hills with their tires angled toward the curb;
- delete a ban on coasting downhill with a vehicle in neutral;
- remove language relating to vehicle bug deflectors;
- eliminate a statute allowing out-of-state drivers to plead guilty and pay tickets with credit cards on the spot. Lawmakers said the needed technology was never put in place;
- remove duplicative language related to license plates, amateur radio licenses, various special license plates, license plate fees and license plate design;
- extend operating authority for mini trucks by one year, to July 31, 2015; and
- eliminate a legislative report on the use of funds from a child passenger restraint and education account and inserts language directing a report be provided upon request.

HF3072\*/SF2613/CH255

[HF3072\\*](#) / [SF2613](#) / [CH255](#)

**House Chief Author:** [Simonson](#)

**Senate Chief Author:** [Dibble](#)

**Effective Dates:** Various **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# State highway honors fallen soldier

A stretch of Minnesota highway will be renamed for a soldier who gave his life serving in the Middle East.

Beginning Aug. 1, 2014, Highway 8 from Center City through Chisago City will be named the "Nicholas Patrick Spehar Memorial Highway." A highly-decorated Navy SEAL, Spehar was killed in a 2011 helicopter crash while serving in Afghanistan, his third deployment.

Sponsored by Rep. Bob Barrett (R-Lindstrom) and Sen. Sean Nienow (R-Cambridge), the law specifies that funding for the signage must come from non-state sources.

HF2219\*/SF2035/CH216

[HF2219\\*](#) / SF2035 / CH216

House Chief Author: [Barrett](#)

Senate Chief Author: [Nienow](#)

Effective Dates: 8/1/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# U-turns, bridge name among changes in transportation housekeeping law

Modified U-turn rules, a renamed bridge and a slew of other minor policy changes are part of a Department of Transportation housekeeping law.

Under the law, sponsored by Rep. Mary Sawatzky (DFL-Willmar) and Sen. Roger Reinert (DFL-Duluth), the existing state Highway 60 bridge over the Mississippi River in Wabasha will be renamed the Michael Duane Clickner Memorial Bridge. Clickner, a 1967 graduate of Wabasha High School, was killed in 1971 at the age of 21 while serving in Vietnam with the United States Army Special Forces.

The state's agricultural vehicle regulations are also tweaked under the law, exempting farm vehicles not transporting hazardous materials from various commercial motor vehicle regulations, including annual inspections, pre-trip inspections and driving them with a standard Class D driver's license.

Among other changes, effective July 1, 2014, unless otherwise noted, the law:

- broadens an annual bridge inspection report filed by county engineers to include identification of bridge deficiencies;
- directs the Department of Transportation to alter how it calculates the amount of county state-aid highway and municipal state-aid street funds to disburse in the upcoming calendar year by basing the figures on actual fund receipts at the time of the allocation calculation;
- allows transportation project bids to be advertised on a local governmental entity's website;
- effective May 22, 2014, requires MnDOT to replace planned dynamic shoulders with an additional general purpose lanes in each direction as part of an Interstate 494 rehabilitation project in the northwest metro between Highway 55 and East Fish Lake Road;
- makes all funds in a transportation economic development account available to MnDOT until expended;
- alters state statutes governing U-turns to permit vehicles to make a U-turn by temporarily using the shoulder of a road that has at least two lanes of traffic in the same direction as necessary for that vehicle's configuration; and
- makes changes to MnDOT rules regarding contractors, including allowing MnDOT to set a compliance deadline in contracts which, if missed, would allow the department to complete the work with another contractor when certain steps are met.

HF2214\*/SF2154/CH287

[HF2214\\*](#) / [SF2154](#) / [CH287](#)

House Chief Author: [Sawatzky](#)

Senate Chief Author: [Reinert](#)

**Effective Dates:** Sec. 1-23, and 25-26: 8/1/2014 Sec. 24: 5/22/2014 **Effective Dates:** See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# Law aims for safer rail employee transportation

Stiffer regulations on motor carriers of railroad employees take effect Aug. 1, 2014.

Most rail companies use contracted transportation to move railroad employees from train to train and to different stations and terminals. Sponsored by Rep. Sandra Masin (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan), the new law steps up safety requirements on those carriers by banning the use of handheld cellphones while driving, requiring pre- and post-trip vehicle inspections and authorizing the Department of Transportation and State Patrol to conduct random inspections and safety reviews.

Other provisions include:

- various vehicle safety requirements, like properly functioning seatbelts, a cap on the number of passengers, an emergency kit and a GPS device;
- railroad employee transport vehicles are subject to annual safety inspections; and
- clarification of maximum hours of on-duty time for drivers.

HF2881\*/SF2570/CH300

[HF2881\\*](#) / [SF2570](#) / [CH300](#)

House Chief Author: [Masin](#)

Senate Chief Author: [Carlson](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Minnesota motorists must investigate collisions

Minnesota motorists will be required to stop and investigate what they struck following a collision under a new law aimed at preventing injuries and deaths caused by hit-and-run crashes.

The law, sponsored by Rep. Paul Rosenthal (DFL-Edina) and Sen. Kevin Dahle (DFL-Northfield), expands a driver's responsibilities following a collision, requiring them to stop and investigate what was struck, and expands what conditions require a motorist to remain at the scene. The law takes effect Aug. 1, 2014.

The term "accident" will also be replaced by "collision" in hit-and-run provisions in state statute.

HF1335/SF1246\*/CH186

[SF1246\\*](#) / HF1335 / CH186

House Chief Author: [Rosenthal](#)

Senate Chief Author: [Dahle](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Towing report sign-off no longer necessary

A new law sponsored by Rep. Ron Erhardt (DFL-Edina) and Sen. Roger Reinert (DFL-Duluth), and effective May 17, 2014, eliminates a requirement that officials sign a towing report prior to removing a vehicle from public property.

HF2995\*/SF2706/CH273

[HF2995\\*](#) / [SF2706](#) / [CH273](#)

House Chief Author: [Erhardt](#)

Senate Chief Author: [Reinert](#)

Effective Dates: 5/17/2014 Effective Dates: See chapter summary in the file link above.

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# State procurement policy in bid documents changed

Elimination of barriers to the state's purchase of greener-running vehicles is the focus of a new law.

Sponsored by Rep. Pat Garofalo (R-Farmington) and Sen. John Hoffman (DFL-Champlin), a new law, effective Aug. 1, 2014, requires a state agency bid solicitation for purchase of passenger automobiles, pickup trucks, and vans to note the state's intent of beginning to purchase electric vehicles, plug-in hybrid electric vehicles, neighborhood electric vehicles and natural gas vehicles "if the total life-cycle cost of ownership is less than or comparable to that of gasoline-powered vehicles."

The new language replaces prior law, which indicated that the state intends to purchase these vehicle types once they are commercially available, meet state performance specifications and are priced no more than 10 percent above comparable gasoline-powered vehicles.

Additionally, a natural gas vehicle is defined in statute.

The Department of Administration is directed to report to the Legislature by Feb. 1 of each odd-numbered year "recommendations for new or adjusted goals, directives, or legislative initiatives, in light of the progress the state has made implementing this section, and the availability of new or improved technologies."

HF2849/SF2887\*/CH281

[SF2887\\*](#) / [HF2849](#) / [CH281](#)

House Chief Author: [Garofalo](#)

Senate Chief Author: [Hoffman](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Insurance requirements heightened on limos

Minnesota limousine drivers will need to carry more insurance under a new law that takes effect July 1, 2014.

Limousine drivers will be required to carry \$1.5 million in per accident insurance, up from the \$300,000 currently required by law. Per-person injury insurance requirements will also rise for vehicles with special limousine plates, to at least \$1.5 million per individual in an accident.

Sponsored by Rep. Frank Hornstein (DFL-Mpls) and Sen. Melisa Franzen (DFL-Edina), the law will also broaden the definition of limousine in state statute and allow up to 15 people with the driver.

HF2858\*/SF2462/CH175

[HF2858\\*](#) / [SF2462](#) / [CH175](#)

House Chief Author: [Hornstein](#)

Senate Chief Author: [Franzen](#)

Effective Dates: 7/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# Highway rename will honor fallen officer

The state is set to rename a stretch of highway running through North St. Paul in honor of a fallen police officer.

Effective Aug. 1, 2014, Minnesota Highway 36 will be designated the "Officer Richard Crittenden, Sr., Memorial Highway."

Sponsored by Rep. Leon Lillie (DFL-North St. Paul) and Sen. Chuck Wiger (DFL-Maplewood), the law is a tribute to late-North St. Paul police officer Richard Crittenden, Sr., who was killed in the line of duty on Sept. 7, 2009.

HF1979/SF1892\*/CH155

[SF1892\\*](#) / HF1979 / CH155

House Chief Author: [Lillie](#)

Senate Chief Author: [Wiger](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Residence requirement nixed for some registrars

A new law will give state-appointed deputy registrars the flexibility to live outside the county where their business is located.

Sponsored by Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Katie Sieben (DFL-Newport), the law removes from state statute a requirement that city deputy registrars reside in the county they serve. It is effective April 4, 2014.

Deputy registrars are appointed by the Department of Public Safety to administer a number of motor vehicle-related transactions, including titling, license plates and vehicle registration.

HF2394/SF2100\*/CH154

[SF2100\\*](#) / [HF2394](#) / [CH154](#)

House Chief Author: [Schoen](#)

Senate Chief Author: [Sieben](#)

Effective Dates: 4/4/2014 Effective Dates: *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# Change allows environmental testing by car manufacturers

The effects of Minnesota's notoriously chilly winters on automobiles aren't all vehicle manufacturers will be able to test on state roads.

A new law will allow a broader number of vehicles to conduct "environmental testing" in addition to "specialized cold weather testing." Under statute, motor vehicles owned by a first-stage motor vehicle manufacturer may display test license plates.

Sponsored by Rep. Roger Erickson (DFL-Baudette) and Sen. Tom Bakk (DFL-Cook), the law takes effect Aug. 1, 2014.

HF2425/SF2103\*/CH194

[SF2103\\*](#) / HF2425 / CH194

House Chief Author: [Erickson, R.](#)

Senate Chief Author: [Bakk](#)

Effective Dates: 8/1/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Special license plates authorized

Combat wounded veterans and retired firefighters can be recognized on Minnesota roadways.

Individuals who were wounded during active military service in a foreign war and those who served more than 10 years as a member of a fire department can apply for special combat wounded veteran for a motorcycle or retired firefighter license plates, respectively.

Sponsored by Rep. Kathy Brynaert (DFL-Mankato) and Sen. Kathy Sheran (DFL-Mankato), and effective Aug. 1, 2014, firefighters and wounded veterans will pay a \$10 special fee for the plates along with other motor vehicle fees.

Veterans applying for the plates must have a certified copy of their discharge papers, indicating the nature of their discharge. The commissioner of Veterans Affairs may certify those veterans who served in the active military in a branch of the armed forces for an ally of the United States in a foreign war but unable to obtain a record of their service and discharge status. The special plate had previously been available for various passenger vehicles, but under the new law will now also be an option for motorcycles.

Retired firefighters must provide a letter from a fire chief affirming their 10 or more years of service and retirement in good standing.

HF2092\*/SF2071/CH280

[HF2092\\*](#) / [SF2071](#) / [CH280](#)

House Chief Author: [Brynaert](#)

Senate Chief Author: [Sheran](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Transportation - 2014

### Regular Session

# Duties expand for transportation advisory group

An advisory group on transportation accessibility will see its duties expand.

Sponsored by Rep. Sandra Masin (DFL-Eagan) and Sen. Jim Carlson (DFL-Eagan), the law expands the scope of the Metropolitan Council's Transportation Accessibility Advisory Committee by directing the committee to advise the Metropolitan Council on:

- accessibility of fixed regular route transit, in addition to existing duties to advise the council on special transportation services; and
- long-range plans to meet transportation needs of the area's disability community.

The law also recodifies the provision specifying the duties and membership of the Transportation Accessibility Advisory Committee by placing it under a section of statutes governing the Metropolitan Council's transit-related powers.

The law is effective May 17, 2014.

HF2751/SF2268\*/CH276

[SF2268\\*](#) / [HF2751](#) / [CH276](#)

House Chief Author: [Masin](#)

Senate Chief Author: [Carlson](#)

Effective Dates: 5/17/2014 Effective Dates: See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Ignition interlock clarification for CVO offenders

Minnesota's ignition interlock program allows drivers to get back on the road more quickly under electronic supervision.

Begun in 2011 as a way to let drivers guilty of DWIs obtain a restricted license under the condition they pass a breathalyzer outfitted in their vehicle, the program was amended in 2013 to allow those whose licenses were revoked due to a criminal vehicular operation conviction in which intoxication was a cause. However, the 2013 amendments did not distinguish based on prior offenses.

Sponsored by Rep. Zachary Dorholt (DFL-St. Cloud) and Sen. Jim Carlson (DFL-Eagan), the law provides a restricted license with full driving privileges only to motorists with fewer than two qualified impaired driving incidents on their record in the previous 10 years and three impaired driving incidents overall. A motorist with more prior incidents on record would be eligible to receive a restricted license with limited driving privileges. The changes are effective July 1, 2014.

HF2255\*/SF2174/CH298

[HF2255\\*](#) / [SF2174](#) / [CH298](#)

House Chief Author: [Dorholt](#)

Senate Chief Author: [Carlson](#)

Effective Dates: Sec. 1: 7/1/2014 Sec. 2-6: 5/22/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# New license means more time behind wheel

Minnesota's newest drivers will need more time behind the wheel before obtaining a license, and parents of new drivers will be encouraged to learn about teen driving.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Susan Kent (DFL-Woodbury), new graduated driver's license standards set to take effect Jan. 1, 2015 will increase the amount of time students must spend supervised behind the wheel to at least 40 hours, up from 30. This increase is to 50 hours if the primary driving supervisor has not taken optional supplemental training.

Primary driving supervisors, who are the main people that oversee driving by an instruction permit holder, will also have the opportunity to improve their knowledge on the rules of the road. Effective May 17, 2014, the law directs the Department of Public Safety to establish a 90-minute supplemental curriculum to teach parents or guardians about graduated driver licensing, safety risks associated with novice drivers, the potential influence of adults on driving behavior of novice drivers, and additional driver's education resources.

The law will also up the amount of required nighttime driving to 15 hours from 10.

HF2684\*/SF2867/CH261

[HF2684\\*](#) / [SF2867](#) / [CH261](#)

**House Chief Author:** [Norton](#)

**Senate Chief Author:** [Kent](#)

**Effective Dates:** Sec. 1: 8/1/2014 Sec. 2-4: 1/1/2015 Sec. 5: 5/17/2014 **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Snow removal sunset removed

A new law removes a looming sunset on a provision in state law allowing road authorities to remove snow in uncompleted subdivisions.

Due to expire in 2014, the law, sponsored by Rep. John Ward (DFL-Baxter) and Sen. Carrie Ruud (R-Breezy Point), will allow local authorities to continue snow removal service on roadways in some uncompleted residential subdivisions when the developer is unable to do so. State statute allows the authorities performing the maintenance to assess the proportionate cost of snow removal upon all properties located within the subdivision.

The law is effective retroactively to May 2, 2014, when the previous authorization expired.

HF1981\*/SF1742/CH297

[HF1981\\*](#) / [SF1742](#) / [CH297](#)

**House Chief Author:** [Ward, J.E.](#)

**Senate Chief Author:** [Ruud](#)

**Effective Dates:** 5/22/2014 and applies retroactively to May 2, 2014. **Effective Dates:** See chapter summary in the file link above.

\* The legislative bill marked with an asterisk denotes the file submitted to the governor.

## Transportation - 2014

### Regular Session

# Law nixes length limits on cross-border road work

Length restrictions on state road improvement projects that involve neighboring states will be lifted and a simplified bidding process enacted for projects related to unexpected natural or man-made disasters.

The Department of Transportation will gain more flexibility in projects that complete road improvements on segments of roadway in both Minnesota and a bordering state, under the law that eliminates a one-mile length limit on such projects. The law takes effect Aug. 1, 2014.

The law, sponsored by Rep. Sandra Masin (DFL-Eagan) and Sen. D. Scott Dibble (DFL-Mpls), will also simplify bidding notification on Department of Transportation projects necessitated by damage caused by the spring thaw and other natural or man-made disasters, by eliminating a bid mailing requirement to notify contractors.

HF3038/SF2614\*/CH243

[SF2614\\*](#) / HF3038 / CH243

House Chief Author: [Masin](#)

Senate Chief Author: [Dibble](#)

Effective Dates: 8/1/2014 **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

## Vetoes - 2014

### Regular Session

# Online lottery, casino games to continue

Electronic access to the state lottery and its various casino-type games can continue despite objections from the Legislature.

Gov. Mark Dayton vetoed a bill that would have suspended the sale of lottery tickets through a website and at self-service devices such as ATM-like machines and at the gas pump.

"The internet is an increasingly common way for the public to access services. By taking steps to modernize its operations and make the same games it sells in paper form available in new ways, the Lottery is attempting to respond to changes in technology and public preferences," Dayton wrote in his veto letter.

The measure was part of a larger bill sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Senate President Sandy Pappas (DFL-St. Paul) that would have clarified and updated various statutes on bingo, electronic pull-tabs, raffles and other gambling games.

Halting the push for electronic gaming had bipartisan support. Among the stated concerns were greater accessibility to gambling, especially by targeting young adults who are more apt to play the games electronically rather than the paper version.

Rep. Ann Lenczewski (DFL-Bloomington) was among those objecting to what she sees as the government's addiction to gambling to fund programming. During a House Taxes Committee hearing, she said the lottery did not have the authority to expand to this type of programming without legislative approval.

Dayton disagreed.

He wrote that the lottery's authorization comes from the 1988 passage of the constitutional amendment to establish a state-run lottery. "With all due respect, however, the authorization for the Lottery stems directly from the people of Minnesota who instructed the Legislature to establish the Minnesota Lottery. It appears to me that the Executive Director is operating within the scope of his legislatively-established authority."

He affirmed the Legislature's concerns about their need to be kept informed. "Those constructive professional relationships are essential to the success of any enterprise in the Executive Branch, and I urge the Lottery Director to reestablish them with the legislators before the next legislative session," Dayton wrote.

Other provisions in the vetoed bill included:

- new and updated definitions;
- standards for raffle boards and games;
- standards for bingo and linked bingo, such as card specifications, a description of a "cover-none" game and prizes;
- additions or revisions to tipboard rules;
- recordkeeping and receipt information for electronic pull-tabs; and

- details on allowing raffles during a wild game or fish event.

HF2829/SF2642\*/CH303

[SF2642\\*](#) / HF2829 / VETO303

House Chief Author: [Atkins](#)

Senate Chief Author: [Pappas](#)

Effective Dates: **Effective Dates:** *See chapter summary in the file link above.*

*\* The legislative bill marked with an asterisk denotes the file submitted to the governor.*

