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Minnesota House of Representatives

Paul Thissen, Speaker

FOR IMMEDIATE RELEASE
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New Laws Take Effect Jan. 1, 2015

The following is a listing of selected new laws passed during the 2014 legislative session that take effect Jan. 1, 2015.

The asterisk following the bill number denotes the language that became law. Summaries of all laws passed by the 2014 Legislature are available online from nonpartisan House Public Information Services at <http://www.house.mn/hinfo/Newlaws2014-0.asp>.

BUSINESS AND COMMERCE

Corporation designation addresses social purpose model

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

The Minnesota Public Benefits Corporation Act lays 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.

The law is sponsored by Rep. John Lesch (DFL-St. Paul) and Sen. John Marty (DFL-Roseville).
HF2582*/SF2053/CH172

EMPLOYMENT

Apprenticeship programs extended after pilot stage

A new law extends an independent contractor pilot program and makes federal conformity changes to apprenticeship programs.

To register an apprenticeship program, an applicant must submit a completed application to the Department of Labor and Industry. If the standards of apprenticeship are met, a one-year provisional approval will be granted. The application should include a written plan of program standards embodying the terms and conditions of employment; and plans for training and supervision of one or more apprentices in a trade or occupation that requires an apprenticeship.

The law is sponsored by Rep. Tim Mahoney (DFL-St. Paul) and Sen. Matt Schmit (DFL-Red Wing).
HF2198/SF2065*/CH305

Public employees protected when in transition

Sponsored by Rep. Tom Anzelc (DFL-Balsam Township) and Sen. David Tomassoni (DFL-Chisholm), a new law 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.

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 recalls must be based on seniority. Recall rights must continue to apply until a new collective bargaining agreement is made.

HF2939/SF2490*/CH223

HEALTH

Some nursing categories to see greater independence

With a look toward increasing health care access in Minnesota, a new law aims to launch advanced practice registered nurses (APRNs) into greater independence.

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.

The new law mostly eliminates these 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

LOCAL GOVERNMENT

'Tony Caine's Law' calls for better trained lifeguards

Named after Tony Caine, a 6-year-old who drowned at a beach in Minneapolis in 2012, a new law will help ensure that lifeguards at public beaches meet certain safety requirements. While the law does not require lifeguards at beaches owned or operated by local governments, it does require lifeguards at these beaches 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.

The law is sponsored by Rep. Mike Freiberg (DFL-Golden Valley) and Sen. Ann Rest (DFL-New Hope).

HF2621/SF2245*/CH179

PUBLIC SAFETY

Expungement changes provide for a second chance

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.

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.

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.

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;
- 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;
- 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.

HF2576*/SF2214/CH246

TRANSPORTATION

New graduated driver's license standards take effect

Minnesota's newest drivers will need more time behind the wheel before obtaining a license. Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Susan Kent (DFL-Woodbury), new graduated driver's license standards will increase the amount of time students must spend supervised behind the wheel to at least 40 hours, up from 30. This increases to 50 hours if the primary driving supervisor has not taken optional supplemental training. The law also increases the amount of required nighttime driving to 15 hours from 10.

HF2684*/SF2867/CH261

VETERANS

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.

As with other specialized plates, the user would pay a \$10 fee to acquire the plates that would bear the inscription "WOMAN VETERAN."

HF1916*/SF1978/CH207