

**PUBLIC INFORMATION SERVICES**  
175 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
(651) 296-2146  
Fax: (651) 297-8135



# Minnesota House of Representatives

Steve Sviggum, Speaker

FOR IMMEDIATE RELEASE  
Date: July 25, 2006  
Contact: Lee Ann Schutz  
(651) 296-0337  
leeann.schutz@house.mn

## New Laws Effective Aug. 1, 2006

*Editor's note: The following is a listing of selected new laws passed during the 2006 Legislative Session that take effect Aug. 1, 2006. The asterisk following the bill number denotes the language that became law. A complete summary of all laws passed by the 2006 Legislature is available online from the House Public Information Services Office. Go to <http://www.house.leg.state.mn.us/hinfo/newlaws/newlawsmain.asp>.*

### Consumers

#### Tools for fighting identity theft

Consumers are able to place a security freeze on distribution of their credit report, under a new law effective Aug. 1, 2006.

Rep. Paul Kohls (R-Victoria) and Sen. Tom Neuville (R-Northfield) sponsor the law, which they call a "real tool" for consumers in the fight against identity theft.

Upon receiving a request from a consumer, a credit reporting agency will be required to impose the freeze within three business days. It would then remain in effect until the consumer requests it be lifted.

Additionally, under the law:

- if a credit card company receives a completed application with an address different from the address on the offer or solicitation, it would need to be verified;
- creditors will no longer be able to offer or provide credit to someone under age 18 without a written request from a parent or guardian;
- when records containing information not classified as public are being destroyed by a person or company that conducts business in Minnesota, it must be done in a way that prevents their contents from being determined; and
- if a person or company conducting business in the state finds that personal information may have been inappropriately accessed, notification to the affected parties must be made "in the most expedient time possible and without unreasonable delay."

HF2843/SF2002\*/CH233

#### Alcohol machine banned

A machine, relatively new to the market, that vaporizes alcohol and is advertised to give a quicker high, will be banned in Minnesota beginning Aug. 1, 2006, under a new law.

The Alcohol Without Liquid machine mixes alcohol with oxygen, creating a vapor that can be inhaled. Twelve other states have also banned possession or sale of the machine.

The new law, sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Sandy Pappas (DFL-St. Paul), excludes nebulizers, inhalers and atomizers from the definition; but it will be unlawful to utilize these devices for inhaling alcohol.

HF3940\*/SF3081/CH210

## **Data privacy increased**

A new law, effective Aug. 1, 2006, imposes tighter security on phone records, genetic information and various other private data.

Sponsored by Rep. Mary Liz Holberg (R-Lakeville) and Sen. Wes Skoglund (DFL-Mpls), the law makes it illegal to solicit, sell, attempt to sell or receive a telephone record without authorization from the customer to whom the record pertains. This applies to records for traditional wire lines as well as for wireless and computer technology.

The law also:

- classifies genetic information held by a government entity as private data and defines what type of consent is needed for its collection or dissemination;
- prohibits the Campaign Finance and Public Disclosure Board from placing any cancelled check, account numbers or Social Security numbers on its Web site in connection with report or statement filings or complaints;
- establishes a tribal identification card, issued by a Minnesota tribal government and recognized by the Bureau of Indian Affairs, as a primary identification document; and
- requires employers who use electronic wage statements to provide employees access, during regular working hours, to an employer-owned computer so the employee can review and print earnings statements.

HF3378/SF3132\*/CH253

## **Crime**

### **Video game rentals by minors**

A person under age 17 who knowingly rents or purchases a video game rated “Adults Only” or “Mature” by the Entertainment Software Rating Board will be subject to a \$25 civil penalty beginning Aug. 1, 2006.

Sponsored by Rep. Jeff Johnson (R-Plymouth) and Sen. Sandy Pappas (DFL-St. Paul), the law requires retailers to post a sign in a location clearly visible to consumers informing them of the penalty. The language must be in at least 30-point type. The clerk who sells or rents the game is responsible for calling the authorities.

HF1298/SF785\*/CH246

## **Elections**

### **Deceptive practices on Election Day**

In an effort to protect the integrity of the polling place, beginning Aug. 1, 2006, a new law makes it a misdemeanor to knowingly deceive another regarding the time, place or manner of conducting an election or the qualifications for voter eligibility.

Sponsored by Rep. Torrey Westrom (R-Elbow Lake) and Sen. John Hottinger (DFL-St. Peter), the law is one of several passed the last two sessions to help the state comply with the federal Help America Vote Act.

HF3110/SF2743\*/CH242

## **Environment**

### **Reducing mercury emissions**

A new law, effective Aug. 1, 2006, establishes regulations to govern the reduction in mercury emissions from six coal-fired electric generating units that collectively account for more than 75 percent of the mercury emissions of all such plants in Minnesota.

Among the regulations are the installation of continuous emissions monitors for mercury, and the filing of plans for reducing mercury emissions by at least 90 percent from both dry- and wet-scrubbed units. Each plant must assess its own ability to optimize environmental and health benefits without excessive cost to utility customers. The law sets deadlines for the submission of these plans, and for the installation and operation of the emissions control equipment.

After reviewing the plans, the Minnesota Pollution Control Agency will set the mercury emissions reduction target for each unit and will insert those targets into the facility's air quality permit. After the reduction measures are in place, the utilities have one year to meet the target, after which they can be found in violation of their air quality permit.

The utilities are required to report biannually to customers their share of the utility's cost to reduce mercury emissions.

Rep. Tom Hackbarth (R-Cedar) and Sen. D. Scott Dibble (DFL-Mpls) sponsor the law.  
HF3712\*/SF3398/CH201

## **Government**

### **Honeycrisp apple named official state fruit**

A new law designates the Honeycrisp apple as the state fruit.

First introduced in 2005, the bill originated as a writing assignment for a class of students from Andersen Elementary School in Bayport. The students and their teacher, Laurel Avery, decided to take the idea further, and eventually convinced Rep. Mike Charron (R-Woodbury) and Sen. Brian LeClair (R-Woodbury) to carry the actual legislation.

The Honeycrisp, a genetically engineered hybrid of the Macoun and Honeygold apple varieties, was developed at the University of Minnesota's Horticultural Research Center starting in the 1960s and formally introduced in 1991.

Minnesota is the 21st state to adopt an official state fruit.  
HF2516/SF2302\*/CH229

## **Health**

### **Abortion regulations**

Changes to Minnesota's abortion statutes are among the provisions of a law that aims to address the rising costs of health care in the state.

Sponsored by Rep. Jim Abeler (R-Anoka) and Sen. Sheila Kiscaden (DFL-Rochester), most sections of the law are effective Aug. 1, 2006.

Under the new law, a female seeking an abortion because the fetus has been diagnosed with a fetal anomaly that will inevitably result in the death of the infant must be informed of available perinatal hospice services, and offered this care as an alternative to abortion.

Perinatal hospice care is defined as "comprehensive support to the female and her family that includes support from the time of diagnosis through the time of birth and death of the infant and through the postpartum period."

HF1010/SF367\*/CH267

## **Higher Education**

### **New building for Mankato**

A law, effective Aug. 1, 2006, allows Minnesota State University, Mankato to "raise \$24 million to build a 95,000-square foot building for its College of Business and give it to the state. The university will also need to raise \$8 million to provide facility operations and maintenance endowment," said Rep. John Dorn (DFL-Mankato), who sponsors the law with Sen. John Hottinger (DFL-St. Peter). Additional money would be used for faculty costs and scholarships, Dorn said.

The law specifies that nonstate money is to be used to "design, construct, furnish, and equip an academic building" on the campus. Further, the law states, "A facility endowment must be created with nonstate money for operating costs of the building."

HF2892\*/SF2716/CH237

## **Human Services**

### **Child care, homeless youth**

A new law, sponsored by Rep. Jim Abeler (R-Anoka) and Sen. John Hottinger (DFL-St. Peter), addresses a number of child care and youth-related issues.

The following select provisions of the law are effective Aug. 1, 2006:

- all teachers and assistant teachers at a child care center and at least one staff person during field trips and when transporting children in care are required to have satisfactorily completed first aid training within 90 days of the start of work, unless the training has been completed within the previous three years;
- a runaway and homeless youth act is created, including a requirement that the commissioner of human services develop a report on homeless youth, youth at risk of homelessness and runaways, requiring youth drop-in centers to provide access to crisis intervention and support services and transitional living programs to help the youth find safe and dignified housing;
- grants a variance to certain alcohol and drug counselors that have been disqualified for certain crimes or conduct to continue working in their current positions and allows them to change employers with a letter of recommendation; and
- requires the commissioner of human services to approve a pilot project in Ramsey County to help teen parents remain in school and complete their education while providing child care assistance.

HF2807/SF2833\*/CH264

## **Local Government**

### **Annexation laws modified**

Effective Aug. 1, 2006, a new law makes a number of changes to the current annexation statutes, and also lays the groundwork for more extensive changes by establishing a “municipal boundary adjustment task force” that will look deeper into the issue.

Some of the changes made include requiring 30 days’ notice by a city before annexing a township and requiring cities and townships involved in orderly annexation agreements to hold a joint informational hearing and publicize the date, time and place of the meeting at least 10 days before it is held.

Originally included in a bill sponsored by Rep. Mark Olson (R-Big Lake) and Sen. Linda Higgins (DFL-Mpls), the provisions of the new law were amended onto another bill, sponsored by Rep. Laura Brod (R-New Prague) and Sen. David Senjem (R-Rochester), which dealt with county and municipal zoning regulations.

HF3302\*/SF2934/CH270

## **Safety**

### **Organ donations sought at driver training**

A minimum of 30 minutes of teaching related to organ and tissue donations will be required as part of Minnesota’s driver education curriculum.

Although the law is effective Aug. 1, 2006, the instruction does not become mandatory until Jan. 1, 2007. It applies to public schools, private schools and commercial drivers’ training schools.

Rep. Michael Paymar (DFL-St. Paul) sponsors the law with Sen. Chuck Wiger (DFL-North St. Paul). Previous law only required that students be informed of their option to donate, and any additional information was voluntary.

HF3401/SF2646\*/CH192

### **Omnibus public safety law**

The omnibus public safety law contains all or parts of more than 50 other bills heard during the 2006 session.

Among the topics addressed in the law, sponsored by Rep. Steve Smith (R-Mound) and Sen. Jane Ranum (DFL-Mpls), are sentencing provisions, public safety policy, emergency communications, cell phone use by teenage drivers, counterfeiting money and the mandatory use of carbon monoxide detectors.

The following are select provisions of the law, effective Aug 1, 2006.

HF2656\*/SF2633/CH260

#### **Exotic pets regulated**

A person who houses a regulated animal as defined in state statute, such as a bear, lion, tiger or other wild cat, or a non-human primate, is guilty of a crime if lack of control or confinement of the animal results in bodily harm to a human. The penalty ranges from a misdemeanor to a felony, depending on the severity of such injuries.

Additionally, a person who houses such an animal must post a sign on the premises indicating that a regulated animal is present. It must include the word “dangerous.” The owner of such an animal must notify the local animal control authority when there is change of where the animal is kept.

#### **Human trafficking**

A penalty of up to 20 years in prison and a \$40,000 fine is created for the trafficking of a person under age 18. Previous law made no age distinction. A potential 15-year imprisonment/\$30,000 fine for trafficking those at least 18 years old remains.

Also, a penalty of up to 10 years in prison and a \$20,000 fine is created for a person who unlawfully conducts themselves with respect to documents in the furtherance of labor or sex trafficking if the victim is a minor. In other cases, a potential 5-year imprisonment/\$10,000 fine remains.

#### **Counterfeiting**

A crime of manufacturing or printing currency with the intent to defraud is established. Also created are crimes for possessing or using counterfeiting devices with the intent to defraud, and issuing or using counterfeit currency with intent to defraud. Violators could receive up to 20 years in prison and be fined \$100,000.

#### **Computer crimes**

The law contains a handful of provisions relating to computer crimes, including the criminal use of encryption to commit or conceal a crime or the identity of the perpetrator, or to disrupt the normal operation of a computer. It also imposes a gross misdemeanor if a person knows or has reason to know that by facilitating access to a system they are aiding another who intends to and commits a crime.

#### **Child pornography**

A five-year conditional release period, to run concurrently with a supervised release term, must be applied by courts when sentencing offenders to prison based on a conviction for disseminating or possessing child pornography or using minors in sexual performance. If the person has previous sex offense convictions, the release period will be 10 years.

### **Transportation**

#### **Electric vehicles on the road**

Sponsored by Rep. Greg Blaine (R-Little Falls) and Sen. Paul Koering (R-Fort Ripley), a new law effective Aug. 1, 2006, defines “neighborhood electric vehicle” and sets the restrictions and requirements for its operation.

The cars are restricted from going on roads with speed limits of more than 35 mph “except to make a direct crossing” of a street or highway with a higher speed limit. The vehicles are subject to all the same requirements as other cars, such as turn signals, license plates, windshields and seat belts.

The transportation commissioner or a road authority can place further restrictions on the use of electric vehicles.

HF1838\*/SF1811/CH189

#### **A police officer remembered**

Sponsored by Rep. Ray Vandever (R-Forest Lake) and Sen. Michele Bachmann (R-Stillwater), a new law requires the transportation commissioner, in consultation with the Shawn Silvera Foundation, to adopt a suitable marking design and placement of four signs to memorialize the late Lino Lakes police officer.

On Sept. 6, 2005, Silvera, a Forest Lake resident, was killed along Interstate 35 while in the line of

duty. The law, effective Aug. 1, 2006, will designate portions of I-35 and I-35W from the site of the accident at Lake Drive in Lino Lakes to Broadway Street in Forest Lake in his honor.

HF3805/SF3526\*/CH213

## **Veterans**

### **New veterans' benefits**

A new law is designed to make Minnesota a more veteran-friendly state by providing new benefits and protections for current and former members of the military.

Sponsored by Rep. Lloyd Cybart (R-Apple Valley) and Sen. Jim Vickerman (DFL-Tracy), it addresses a variety of veterans issues, and contains most of the non-fiscal policy initiatives of the "Governor's Veterans Bill of 2006," which was not passed by the Legislature.

The law is made up of provisions culled from numerous veteran-related bills that were introduced in the 2005-06 biennium.

The following are select provisions of the law, effective Aug 1, 2006:

HF3664\*/SF3333/CH273

### **Leave for soldiers' families**

Employers must grant leaves of absence to employees whose family members either are mobilized for active duty military service or are injured or killed during such service.

All employers in the state are required to grant an unpaid leave of absence of up to 10 working days for an employee whose immediate family member is killed or injured during active military duty.

Additionally, all public and private employers in Minnesota — except independent contractors — must grant unpaid leave to an employee whose immediate family member has been mobilized for active military service in support of a war or other national emergency.

Employers may limit the amount of leave to the actual time necessary to attend a military send-off or homecoming ceremony, not to exceed one-day's duration in any calendar year.

### **Higher education fairness**

Several provisions of the new law seek to address fairness issues for military members and veterans enrolled in postsecondary educational institutions:

- The Minnesota State Colleges and Universities (MnSCU) system must recognize and award educational credits for courses that were part of a veteran's military training or service, provided the courses meet applicable standards for awarding academic credits. Additionally, the University of Minnesota and private colleges and universities in Minnesota are encouraged to recognize and award educational credits for such courses.
- MnSCU and the University of Minnesota are directed to treat all veterans as residents for the purpose of undergraduate tuition rates.
- MnSCU and the University of Minnesota must not assess late fees to veterans who are eligible to receive, or have applied for but have not yet received federal educational assistance; nor may those institutions prevent such individuals from registering for a subsequent term.

### **Memorial plaques**

Two new memorial plaques — one honoring Minnesota's Medal of Honor recipients and one honoring military war dogs and their handlers — are authorized on Capitol grounds.

Pending approval by the Department of Veterans Affairs and the Capitol Area Architectural and Planning Board, the plaques will be placed in the Court of Honor, near the Veterans Service Building. The law states that both must be privately financed.