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**Minnesota
House of
Representatives**
Margaret Anderson Kelliher, Speaker

FOR IMMEDIATE RELEASE
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New Laws Effective Aug. 1, 2010

The following is a listing of selected new laws passed during the 2010 legislative session that take effect Aug. 1, 2010. The asterisk following the bill number denotes the language that became law. All laws passed by the 2010 Legislature are available online from nonpartisan House Public Information Services at www.house.leg.state.mn.us/hinfo/Newlaws2010-0.asp

BUSINESS

Accountant requirements clarified

Certified public accountant licensing standards will be clarified under a new law.

Sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope), the law will require public audit functions to be conducted by a certified public accountant rather than an “experienced” or “public” accountant.

It also clarifies state law by adding the word “certified” in front of “public accountant” in several areas of statute, and adding “in accordance with” in other areas.

HF2706*/SF2252/CH191

Deputy registrar terms won't expire

Nearly half of the 174 deputy registrars in the state are incorporated and were destined by state statute to lose their appointments in 2012; but thanks to a new law that won't happen. Rep. Randy Demmer (R-Hayfield) and Sen. Katie Sieben (DFL-Newport) sponsor a law to remove the expiration date.

The law also allows nonprofit corporations (in addition to for-profit companies) to be appointed as a deputy registrar.

HF1209*/SF973/CH296

CONSUMERS

Battery recycling fee increased

Sponsored by Rep. Paul Gardner (DFL-Shoreview) and Sen. Ken Kelash (DFL-Mpls), a new law modifies a 20-year-old statute requiring consumers who purchase new, lead acid batteries to either recycle their old batteries or pay a \$5 fee.

The fee, which serves as an incentive for people to recycle their old batteries, is ultimately paid by the retailer to the battery manufacturer; however, since manufacturers often charge \$10 or more to retailers, the retailers have essentially been getting shorted by \$5.

The fee that retailers charge to consumers at the point-of-sale will increase to at least \$10, so that

retailers recover the full cost of the fee they're charged by the manufacturers. As is the case with current law, consumers who bring in a battery for recycling within 30 days of purchasing a new battery will be able to have their fee refunded.

HF2402/SF2152*/CH258

Keeping laws up with new tobacco

From strips that melt in your mouth to orbs that look like Tic Tacs, users can get a nicotine bump anytime, anywhere and undetected. Supporters of new regulations fear these products could lure in a whole new generation of tobacco users.

Rep. Jim Davnie (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls) sponsor the Tobacco Modernization and Compliance Act of 2010 to close the loophole on products that supporters say target younger generations.

The law expands the definition of tobacco products to include these new products and would regulate them as cigarettes and cigars. It will also apply to electronic cigarettes and candy- or fruit-flavored "little cigars" that are similar in size to cigarettes, but because of their design are not as regulated.

It will be a petty misdemeanor for those under the age of 18 to possess, purchase or attempt to purchase a product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco.

HF3467/SF3055*/CH305

Directory scams banned

Out-of-state companies that pretend to be homegrown Minnesota businesses will be guilty of deceptive business practices under a new law.

Sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Sandy Pappas (DFL-St. Paul), a new law makes it illegal for companies to misrepresent their location in phone directories, print ads and on the Internet.

The law is intended to address a kind of scam in which out-of-state companies take out ads pretending to be Minnesota-based companies. The companies overcharge customers who place orders, transfer the orders to actual Minnesota companies and then keep the difference as profit. Practitioners have targeted the floral and locksmith industries in particular.

The law generally states that a business misrepresents its geographic location if: they represent themselves to be at a location where there is not at least one owner or employee regularly performing services, and they set up a local phone number that routinely routes calls to out-of-state call centers.

HF3277*/SF3102/CH235

Ensuring consumer choice

Renters will be guaranteed the right to purchase cable or telephone services from a provider of their own choosing under a new law.

Sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Kathy Sheran (DFL-Mankato), the law prevents landlords from forbidding or discriminating against tenants for choosing one telecommunications provider over another.

While mostly effective April 16, 2010, a provision effective Aug. 1, 2010, will make it easier for telephone companies to offer "triple-play" services — voice, video and Internet — by letting local governments grant cable franchises to companies that already provide phone services within a given area.

HF3097/SF2616*/CH277

Impound notice date exclusions

Government workers and impound lot operators won't have to count Saturdays, Sundays and legal holidays among the five days they have to notify a registered vehicle owner and lien holders of a vehicle that their vehicle has been impounded.

The law is sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Michelle Fischbach (R-Paynesville).

HF3016/SF2572*/CH257

CRIME

Expanded service animal harm penalty

It is already a misdemeanor to intentionally cause bodily harm to a service animal. A similar charge could be imposed against someone who intentionally renders a service animal unable to perform its duties.

Sponsored by Rep. Mindy Greiling (DFL-Roseville) and Sen. D. Scott Dibble (DFL-Mpls), a new law requires a court to order mandatory restitution for the costs resulting from the criminal act, including the service animal user's lack of income, veterinary expenses, transportation costs and service animal replacement or retraining. A victim can still seek civil damages.

The law also goes after those who train fighting animals by providing that "whoever possesses any device or substance with intent to use or permit the use of the device or substance to enhance an animal's ability to fight is guilty of a gross misdemeanor."

HF3312/SF2990*/CH292

A felony for skimming tool

A new law will make it a felony for someone to possess a scanning device or reencoder used to acquire information from payment cards, a driver's license or state-issued identification card with "the intent to commit, aid, or abet any unlawful activity."

Skimmers record information off the card's magnetic strip. Supporters note that these devices can go unnoticed by a consumer because they are about the size of a Bic lighter.

Another common device retrieves someone's information at a cash machine. The skimmer looks like the outlet, albeit about one-quarter of an inch thicker. When a user inserts their card, the device and the ATM read the information.

Criminals will frequently make a new credit card with the acquired information.

Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul) sponsor the law.
HF2470/SF2493*/CH293

No salvia divinorum possession

Minnesota will be joining 20 other states in making salvia divinorum possession illegal.

Sponsored by Rep. Morrie Lanning (R-Moorhead) and Sen. Bill Ingebrigtsen (R-Alexandria), a new law creates a misdemeanor for possession of salvia divinorum and a gross misdemeanor for its sale.

Derived from an herb from Mexico and known for its hallucinogenic effects that are often compared to LSD, salvia divinorum is either chewed or smoked. Its psychic effects include perceptions of bright lights and vivid colors, uncontrolled laughter and hallucinations. Harmful physical effects may include lack of coordination, dizziness and slurred speech.

Salvia divinorum is sold by head shops on a retail basis, making it problematic, especially in towns bordering other states where the drug is currently illegal.

HF2975/ SF2773*/CH368

Getting a post-sentence DNA sample

A judge will be given permission to order an offender who did not submit a required DNA sample to provide one even if the offender's sentence has expired.

Sponsored by Rep. Karla Bigam (DFL-Cottage Grove) and Sen. Linda Scheid (DFL-Brooklyn Park), a new law is designed to correct a technical glitch that sometimes occurs when an offender convicted of a felony is supposed to provide a DNA sample.

Since 2005, all convicted adult felons, adjudicated juvenile felons and felon offenders transferred into Minnesota from another state must provide a DNA sample for testing. If the court doesn't order it, the probation department is supposed to collect a sample. However, if no one makes the order, there is no current remedy to get a sample.

The order to show cause shall direct the offender to appear before the court within 30 days, unless a specimen is provided. Upon the offender's appearance, the court may issue an order directing the offender to provide the specimen. If an offender fails to provide a specimen or appear in court, an order requiring the offender to submit a specimen within 30 days at a designated location can be issued, and a peace officer would be authorized to detain and bring the offender before the court to show cause why the specimen should not be produced.

The sample will be provided through a cheek swab.

HF3447/SF3116*/CH256

ENERGY

Biodiesel mandate exemption extended

An exemption during the winter months on the state's biodiesel content requirement will be extended to March 31, 2012.

That's one of a handful of changes brought by a new law dealing with weights and measures. Rep. Greg Davids (R-Preston) and Sen. Debbie Johnson (R-Ham Lake) are the sponsors.

State law requires that diesel fuel contain a certain percentage of biodiesel. The law gives the Department of Commerce flexibility to lift that mandate between October and March. Davids said extremely low temperatures during these months sometimes cause biodiesel blends to "gel up."

HF3363/SF2840*/CH228

FAMILY

After-death care modified

Family members will have more options in providing after-death care to their loved ones under a new law.

Sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. Sandy Pappas (DFL-St. Paul), a new law modifies restrictions on who may control a dead body, how a body may be transported and how it must be preserved. Under the law, next of kin have the right to control a dead body, including removing the body from place of death with authorization from the Department of Health. A requirement in current statute that a body be embalmed before it is transported is removed.

The law also permits a body to be packed in dry ice instead of embalmed in preparation for private viewing. With permission of the funeral home, family and friends of the deceased may assist with the washing and dressing of the body someplace other than the funeral home's preparation room.

Laine said the law reflects a growing desire for after-death procedures that are more natural and less reliant on toxic chemicals.

HF3151*/SF2903/CH262

HEALTH

Children's cavity prevention

Primary care providers are encouraged to provide basic cavity prevention services to children and teens on Medical Assistance, under a new law.

Sponsored by Rep. Kim Norton (DFL-Rochester) and Sen. Kathy Sheran (DFL-Mankato), the law specifies cavity prevention services that may be offered to children and teens during check-ups. These include a general visual examination of a child's mouth, as well as a risk assessment based on factors established by the American Academy of Pediatrics and the American Academy of Pediatric Dentistry. With parental consent, providers may administer a fluoride varnish to children ages 1 and older assessed as high risk.

Providers who choose to provide cavity prevention services will need to give a child's parent or legal guardian information on caries etiology and prevention, dental homes and discuss the importance of finding a dentist. These actions, and any services provided, must be documented in the child's medical record.

HF984/SF633*/CH307

Health care directive clarification

A new law clarifies 2009 legislation relating to health care directives for wards and protected people.

It states that only a court, rather than a guardian, may declare a person's health care directive unenforceable. The court will be required to find "by clear and convincing evidence that the health care directive was executed under coercion of fraudulent inducement . . . or if it finds that the health care directive is not legally sufficient." A guardian could previously replace a health care agent under certain circumstances specified in law.

The law also:

- establishes that a ward or protected person may outline their health wishes in a health care directive when a guardian does not have the authority to make a medical decision;
- ensures that the wishes of a ward or protected person nominated for a guardian are honored and respected; and
- modifies and streamlines certain informational reports that must be submitted to the court by a guardian or conservator.

Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul) are the sponsors.

HF3128*/SF2796/CH254

Licensing home care providers

Sponsored by Rep. Larry Hosch (DFL-St. Joseph) and Sen. Sharon Erickson Ropes (DFL-Winona), a new law broadens the enforcement powers of the Department of Health related to home care licensing. It allows the department to impose a conditional license on a provider for certain infractions and allows license suspension to include requirements that must be met before the suspension is lifted. It also sets procedures for transferring clients after a license has been suspended or revoked and expands sanctions against home care management.

Other provisions in the law modify requirements for licensure applicants and remove a time limit on licensure exemptions.

HF3196/SF2923*/CH246

Licensure requirements modified

A new law, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Ron Latz (DFL-St. Louis Park), was prompted by confusion related to the language contained in the rule that left some counselors confused about postgraduate and continuing education requirements needed to maintain their licenses. Under the law, a counselor whose license was terminated prior to Aug. 1, 2010, does not need

to complete certain continuing education activities, including those for re-licensure, if the person has completed a specific number of postgraduate semester credit hours. The provision does not apply to an individual whose license has been cancelled.

HF3212/SF2877*/CH248

HIGHER EDUCATION

Student mental health emergency notification

Colleges and universities will be able to notify parents in cases where a student has a mental health emergency.

Federal and state law allows higher education institutions to disclose what would otherwise be private data when a student has a “safety emergency” that warrants contacting their parents. A new law will clarify that mental health emergencies, such as suicide attempts or psychotic episodes, qualify under the law.

Rep. Andy Welti (DFL-Plainview), who sponsors the law with Sen. Sharon Erickson Ropes (DFL-Winona), said the National Alliance on Mental Illness brought the proposal forward. He said if a student is injured in a car accident or receives a physical injury, colleges and universities can notify parents; however, some parents are concerned that mental health emergencies do not meet the current threshold.

The law does not involve disclosure of medical records — only the right to disclose that an emergency has taken place.

HF2766/SF2425*/CH230

HOUSING

Landlord-tenant changes enacted

Landlord advocates and tenant advocates have agreed to a compromise on some issues that have been a source of contention.

Provisions in a new law, sponsored by Rep. Joe Mullery (DFL-Mpls) and Sen. D. Scott Dibble (DFL-Mpls), that take effect Aug. 1, 2010, include:

- landlords must provide receipts if the rent or other payments are paid in cash;
- new notice requirements for eviction actions when a tenant remains in a property after the redemption time has expired;
- a new penalty up to \$500 plus reasonable attorney fees is established for tenants who lie on their application and an existing penalty that applies to landlords who keep a deposit in bad faith is increased from \$200 to \$500; and
- additions to the prohibited activities of a landlord with respect to an applicant’s screening fee, including a prohibition from using, cashing, or depositing a screening fee “until all prior applicants have been screened and rejected, or offered the unit and declined to enter into a rental agreement.”

HF2668*/SF2595/CH315

LAW

Joint powers can include tribes, Historical Society

The Mille Lacs Band of Ojibwe was invited to participate in the Northern Lights Express Coalition, a joint powers agreement advocating a railroad project from the Twin Cities to Duluth. The band did so and paid \$48,000 in dues, but discovered that because the joint powers act did not include them it could not participate as a voting member.

A new law allows the Mille Lacs Band of Ojibwe and other federally recognized American Indian tribes, as well as the Minnesota Historical Society, to enter into joint powers agreements.

Rep. Bill Hilty (DFL-Finlayson) and Sen. Ann Rest (DFL-New Hope) sponsor the law, which Hilty

said allows tribes to collaborate with other government entities on shared services such as education, transportation, emergency management, emergency response and economic development.

HF2797/SF2259*/CH193

Cheating on exams could result in civil action

A civil action could be taken against someone who deliberately cheats with respect to a board licensing or certification examination according to a new law.

Rep. Jim Abeler (R-Anoka), who sponsors the law with Senate President James Metzen (DFL-South St. Paul), said the law simply says if someone engages in examination subversion, they could be sued by “any person damaged or likely to be damaged” by the practice.

Examination subversion could include:

- removing examination materials from the examination room without authorization;
- disclosing or publishing any portion of the examination;
- selling or offering to sell any portion of a future, current or previously administered examination;
- improperly obtaining examination questions, answers or materials before, during or after the examination;
- communicating with another person during administration of the examination to give or receive help; and
- copying answers from another examinee or letting another examinee copy your answers.

HF1713/SF1494*/CH202

Readable electronic documents

A new law will make it is easier for a public defender to access documents.

Upon request from a district or state public defender, or an attorney working for a public defense corporation, the court, prosecutors and law enforcement must provide copies of any documents in their possession at no charge, including police reports, photos, grand jury transcripts, audiotapes and videotapes. Now, “audio or video files on CD Rom or DVD Rom disc” will be added to the list. The law also specifies that the provider, upon request, shall include the software needed to open, view or play the electronic file.

Rep. Debra Hilstrom (DFL-Brooklyn Center), who sponsors the law with Sen. Mee Moua (DFL-St. Paul), said the Public Defense Board brought forward the legislation because they have had some issues in getting files in formats they can open.

HF2991/SF2517*/CH239

LOCAL GOVERNMENT

City employees can't serve in city leadership position

Full-time, permanent employees of a city will be prohibited from serving as mayor or on the city council.

Rep. Steve Smith (R-Mound), who sponsors the law with Sen. Gen Olson (R-Minnetrissa), said it is consistent with other statutes regarding school boards and county employees serving as elected officials.

David Osmek, a Mound City Council member, told a House committee the law would have prevented some ongoing conflicts of interest. He cited the case of a city employee participating in closed union contract negotiations, which had a direct affect on the Mound administrative code, and in turn, his own salary.

HF3350*/SF2953/CH206

Firefighters may collect for charity

Since 2000 in Minnesota, and since 1955 in other states and Canada, firefighters have raised money for the Muscular Dystrophy Association by collecting spare change from motorists stopped at red lights. A new law gives them the green light to continue to use the “Fill the Boot” strategy to raise funds for charity.

A municipality can permit firefighters to use this technique for up to three days a year to benefit one registered nonprofit organization qualified under section 501(c)(3) of the Internal Revenue Code. It is sponsored by Rep. Joe Atkins (DFL-Inver Grove Heights) and Sen. Ann Rest (DFL-New Hope).

Minneapolis and Duluth had expressed concerns about liability and requested statutory permission to permit them to allow such charitable solicitation, said Atkins, though they have no reservations about the cause. According to the law, the charitable organization must have general liability insurance against certain kinds of claims, with a limit of no less than \$1.5 million per occurrence.

HF3017*/SF2413/CH227

More securities lending options

Mergers and acquisitions in the financial industry in recent years have left cities and municipalities with only one securities lender option — U.S. Bank — because of a state law requiring them to do business with a Minnesota-based lender.

A new law will expand the options to financial institutions that have a bank office located in the state.

With the law, sponsored by Rep. Steve Simon (DFL-St. Louis Park) and Sen. Linda Scheid (DFL-Brooklyn Park), cities may do business with qualifying financial institutions that can both broker investments and hold them for safekeeping, instead of having to buy from one broker and incur new fees to transfer investments to a different institution for safekeeping.

The law also adds registration and insurance requirements.

HF3065*/SF2590/CH234

MILITARY

North Branch to honor war heroes

In remembrance of a war hero's sacrifice, a stretch of Highway 95 in North Branch will be renamed the “Corporal Johnathan Benson Memorial Highway,” and a bridge will memorialize veterans.

Marine Cpl. Johnathan Benson, a graduate of North Branch High School, was granted a purple heart after he was wounded during a second tour of duty in Iraq in 2006. The 21-year-old died from his injuries Sept. 9, 2006.

Additionally, the Highway 95 Bridge in North Branch will be renamed the “Veterans Memorial Bridge.” The Transportation Department will design and erect the appropriate signs for the bridge and along the highway, which will be paid for by the community.

Rep. Jeremy Kalin (DFL-North Branch) and Sen. Rick Olseen (DFL-Harris) sponsor the laws.

HF2575/SF2183*/CH196

HF2561*/SF2182/CH204

Designating American Legion Day

A new law designates Sept. 16 as American Legion Day.

Sponsored by Rep. John Ward (DFL-Brainerd) and Sen. Sharon Erickson Ropes (DFL-Winona), the law recognizes “the millions of American Legion veterans who have dedicated and continue to dedicate themselves to service of community, state, and nation.”

Sept. 16 commemorates the date in 1919 that Congress chartered the American Legion.

HF2538/SF2373*/CH185

SAFETY

Kelsey Smith Act

The death of a Kansas teenager three years ago is the impetus behind a new law that will let law enforcement agencies track down missing persons by using their cell phone data.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law is named after Kelsey Smith, who was abducted and murdered in Kansas in 2007. Her body was found after her parents compelled her cell phone company to track down her phone's location. Federal law allows — but does not require — that the companies provide that information.

The Kelsey Smith Act will require cell phone service providers to disclose their customers' call location in emergency situations. Using cell site towers, a service provider can triangulate the location of a cell phone or other wireless device to within close proximity. The law will require cell companies to reveal call location data in cases where an individual is missing and at risk of "death or serious physical harm."

The new statute will mandate that the companies provide the data, under certain conditions. The law enforcement agency seeking the data must submit a written request, and service providers must establish protocols that allow them to respond to such requests.

HF2639*/SF2470/CH342

Window tinting law expanded

Anyone who sells or applies vehicle window tints that are darker than current law allows could be found in violation of a new law and subject to a misdemeanor charge.

Though states differ in the degree of tinting allowed, Minnesota prohibits driving a vehicle within state borders with tinting that has a light transmittance of less than 50 percent or a reflectance of more than 20 percent. (There are exceptions for the side and rear windows of some vehicles.)

The law closes a loophole that prohibited driving a vehicle with windows that were too dark, but still allowed for the selling or application of the darker tints. Vehicles with windows that are too dark may still be sold, but not driven, in the state.

The law is sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).
HF2914/SF2370*/CH304

Firefighter background checks

Fire departments will be permitted to run criminal background checks on current employees no more than once per year.

Rep. John Lesch (DFL-St. Paul), who sponsors the law with Sen. Don Betzold (DFL-Fridley), said the law was brought to him by a fire chief who, upon discovery that one of his employees had been indicted for arson, found out he couldn't do a criminal background check on his employees. Currently, background checks can only be run on applicants.

The information obtained in the background check would be considered private data, and handled as any other such data.

HF3130/SF2363*/CH259

Penalty changes for guns at school

Judges will have more options in sentencing someone who brings a firearm to school.

Sponsored by Rep. Sandra Peterson (DFL-New Hope) and Sen. Ann Rest (DFL-New Hope), a new law will increase the maximum penalty for knowingly possessing, storing or keeping a firearm on school grounds from two years imprisonment and a \$5,000 fine to five years imprisonment and a \$10,000 fine. Peterson noted the current maximum penalty for bringing a gun to a courthouse or library is already five years behind bars.

It also decreases to a gross misdemeanor the penalty if someone "uses or brandishes a replica firearm

or a BB gun while knowingly on school property,” and decreases the penalty for possessing, storing or keeping a replica firearm or BB gun on school property from a gross misdemeanor to a misdemeanor.
HF3423/SF2339*/CH268

New sexual conduct changes

An employee of, or volunteer at, a secure residential treatment facility who has sexual contact with a resident of the facility will have committed third- or fourth-degree criminal sexual conduct, even if the contact is consensual.

Rep. Terry Morrow (DFL-St. Peter), who sponsors the law with Sen. Kathy Sheran (DFL-Mankato), said the law should have no fiscal cost. He said the employee union supports the law.

Program officials said this is “a low-frequency event,” but there are serious ramifications for staff, public safety and the rest of the institution when it does occur.

By statute, a secure treatment facility includes the Minnesota Security Hospital in St. Peter and the Minnesota Sex Offender Program facility at Moose Lake.

HF3191/SF2717*/CH270

Domestic abuse changes now law

A new law contains a number of provisions to help domestic abuse victims.

Sponsored by Rep. Debra Hilstrom (DFL-Brooklyn Center) and Sen. Mee Moua (DFL-St. Paul), the law includes expanding the area for protection for a reasonable distance around a residence or dwelling of a person seeking an ex parte order for protection.

Other provisions in the law include:

- pets and companion animals can be included in protective orders;
- increases to the maximum bail for non-felony domestic abuse offenses at 10 times the highest cash fine;
- clarifications to the crime of stalking by explicitly labeling the applicable statute “stalking,” refining the stalking definition and expanding the list of conduct that constitutes stalking;
- exempts certain domestic abuse or sexual attack programs from data practice requirements;
- establishes data entered into the criminal justice data communications network as private for information from OFPs and no-contact orders; and
- permits a judicial district to conduct a pilot project to allow courts in the district to order, as a condition of release in domestic abuse cases, electronic monitoring of an offender to protect a victim’s safety. This provision expires Jan. 15, 2014.

HF2608/SF2437*/CH299

Changes to MSOP policies

Changes are in store for the transfer, temporary discharge and release of people civilly committed to facilities under the Minnesota Sex Offender Program.

A new law modifies the statute that governs treatment of sexually dangerous persons and sexual psychopathic personalities. Sponsored by Rep. Terry Morrow (DFL-St. Peter) and Sen. Tony Lourey (DFL-Kerrick), the law does the following:

- describes procedures for notifying a victim of a pending petition for commitment, provisional discharge, discharge or temporary release of a sexually dangerous person or sexual psychopathic personality, as well as the victim’s right to submit a written statement;
- prohibits a person committed as a sexually dangerous person or sexual psychopathic personality from being transferred, provisionally discharged or discharged without a hearing and the approval of a judicial appeal panel and special review board;
- sets grounds for revocation of provisional discharge, as well as procedures for appeal;
- outlines the responsibilities of MSOP for providing supervision, aftercare and case management for

sexually dangerous persons and sexual psychopathic personalities after release; and

- gives the Department of Human Services responsibility for placing an individual on a judicial hold due to a petition for civil commitment as a sexually dangerous person or sexual psychopathic personality in the appropriate secure treatment facility.

HF3300/SF2713*/CH300

TECHNOLOGY

Broadband for everyone

Minnesota intends to provide every resident the ability to access high-speed broadband Internet service by 2015.

A new law makes high-speed broadband Internet for every home and business an official state goal. In addition, it calls for a boost in broadband speeds: 10 to 20 megabits per second for downloads and five to 10 megabits per second for uploads.

Sponsored by Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Yvonne Prettner Solon (DFL-Duluth), the law also specifies three other goals for Minnesota's broadband access. It states that Minnesota should be in:

- “the top five states of the United States for broadband speed universally accessible to residents and businesses”;
- “the top five states for broadband access”; and
- “the top 15 when compared to countries globally for broadband penetration.”

The law stems from the work of the Minnesota Ultra High-Speed Broadband Task Force, which spent two years researching a strategy for deploying broadband Internet service throughout the state.

Also included in the law is a provision requiring the Department of Commerce to report annually to the Legislature on progress made toward meeting the state's broadband goals.

HF2907*/SF2254/CH277