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Minnesota House of Representatives

Melissa Hortman, Speaker

FOR IMMEDIATE RELEASE

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New Laws Effective July 1, 2022

The following is a list of new laws passed during the 2022 legislative session, and one from 2021, that take effect July 1, 2022. The asterisk following the bill number denotes the language that became law. Summaries of laws passed by the 2022 Legislature are available online from nonpartisan House Public Information Services at <http://www.house.mn/newlaws/#/search/2022>.

AGRICULTURE

Drought relief, agriculture and broadband efforts in the state get funding boost

Sponsored by Rep. Mike Sundin (DFL-Esko) and Sen. Torrey Westrom (R-Elbow Lake), the combined total in a new law containing appropriations and policy changes for agriculture, drought relief and broadband is \$50.9 million from the General Fund in the 2022-23 biennium and \$32.5 million in the next biennium.

Among the provisions taking effect July 1, 2022 are:

- a \$25 million General Fund appropriation in fiscal year 2023 will be transferred to the Border-to-Border Broadband program that helps bring broadband infrastructure to unserved and underserved parts of the state;
- the Department of Agriculture must re-establish and administer a grant program to assist farmers in financing new cooperatives that operate agricultural product processing facilities or market agricultural products or services;
- the Agriculture Department can provide farm down payment assistance grants of up to \$15,000 per eligible farmer;
- the Pollinator Research Account is extended until July 1, 2025;
- the Board of Animal Health can apply and receive federal money for animal disease response;
- a member with knowledge of cybersecurity is added to the Food Safety and Defense Task Force;
- modifications, including eligibility criteria, to the Bioincentive Program whereby the Agriculture Department pays eligible entities that produce qualifying advanced biofuels, renewable chemicals or biomass thermal energy;
- establishment of a soil health financial assistance pilot program; and
- the Agricultural Utilization Research Institute will have an additional \$300,000 added to its fiscal year 2024 base for equipment upgrades and replacement, installation expenses and laboratory infrastructure for sites in Crookston, Marshall and Waseca. An additional \$200,000 will be added to the base in fiscal year 2024 and thereafter to maintain levels of service.

HF3420*/SF3479/CH95

BUSINESS AND COMMERCE

Nonprofit credit counseling services list required

Effective July 1, 2022, the Department of Commerce will be required to create and maintain a list of nonprofit credit counseling organizations and require debt collection agencies include the list in their first written communication to a debtor.

Per the law, "Contact information for organizations that provide credit counseling services in languages other than English to individuals whose primary language is other than English must be included. The document shall include the following statement in English, Spanish, Somali, Hmong, Vietnamese, and Chinese:

"There are resources available to help manage your debt. The following Minnesota organizations offer debt and credit counseling services. The Department of Commerce does not control or guarantee any of the services provided by these organizations. The provision of this list is not a referral to, or endorsement or recommendation of, any organization or the organization's services."

Rep. Jordan Rasmusson (R-Fergus Falls) and Sen. Karin Housley (R-Stillwater) sponsor the law.
HF4048/SF2922*/CH70

Fraud bureau beefed up, language and policies amended

In part, a new law expands jurisdiction of the Commerce Department Fraud Bureau and offers additional funding for enforcement staff.

Sponsored by Rep. Zack Stephenson (DFL-Coon Rapids) and Rep. Gary Dahms (R-Redwood Falls), the following parts of the law take effect July 1, 2022.

The bureau's jurisdiction no longer is limited to insurance fraud; its primary jurisdiction is offenses with a "nexus to insurance related or financial crimes." For example, the bureau can investigate financial crimes such as wage theft.

The legislation includes a supplemental budget appropriation of \$870,000 from the General Fund in fiscal year 2023 for five additional peace officers in the Commerce Fraud Bureau.

The new law also:

- requires financial institutions to file articles of incorporation with the Department of Commerce instead of the Office of the Secretary of State;
- changes language from "husband and wife" to "married couple;" in a section pertaining to safety deposit boxes;
- sets a time limit of nine years from the date of the violation for the Commerce Department to start enforcement action unless the violation is in a contract that remains in force; the limit is two years from the date of discovery of the violation in that case;
- requires the Commerce Department to inform companies in writing of specific instances of lack of cooperation in enforcement action;
- requires the Commerce Department first attempt informal remedies, such as a consent order or nonpublic letter of reprimand, for any alleged violation of law discovered during an examination or investigation;
- makes a library of equipment available to all law enforcement agencies to combat car theft and makes a onetime \$522,000 appropriation in fiscal year 2023 for it; and
- specifies vehicle manufacturers may require their dealers "to comply with reasonable requirements for the sale and service of an alternative fuel vehicle or to serve an alternative fuel vehicle customer."

HF3255*/SF3243/CH93

EDUCATION

Maximum income limit for school board members raised

A new law increases the maximum amount a school board member employed by that district may earn from that employment.

Effective July 1, 2022, the law raises the maximum earnings limit from \$8,000 to \$20,000 per fiscal year.

Rep. Michael Howard (DFL-Richfield) and Sen. Zach Duckworth (R-Lakeville) are the sponsors. HF2920/SF3107*/CH78

2021 omnibus provisions

Parts of the 2021 omnibus education law take effect July 1, 2022.

Sponsored by Rep. Jim Davnie (DFL-Mpls) and Sen. Roger Chamberlain (R-Lino Lakes), the changes include:

- a publicly funded preschool or kindergarten program cannot have a child use an individual-use screen without engagement from a teacher or other students. A child with an individualized family service plan, an individualized education program or a 504 plan is excluded from this requirement; and
- all pre-K-12 education grants awarded after July 1, 2022 must be awarded through a framework that encourages the goals of the grants to be aligned to Minnesota's World's Best Workforce and the federal government's student accountability systems. Grant recipients will need to use evidence-based practices and report on their activities to the Department of Education and the Legislature.

2021 First Special Session: SSHF2*/SSSF23/SSCH13

ENVIRONMENT

Environment and Natural Resources Trust Fund spending

The \$70.88 million fiscal year 2023 appropriations from the Environment and Natural Resources Trust Fund covers more than 100 projects.

The fund was established in 1988 via constitutional amendment to "provide a long-term, consistent, and stable source of funding for activities that protect, conserve, preserve, and enhance Minnesota's 'air, water, land, fish, wildlife, and other natural resources' for the benefit of current citizens and future generations." Money is generated by the state lottery.

Rep. Rick Hansen (DFL-South St. Paul) and Sen. Torrey Westrom (R-Elbow Lake) sponsor the law that mostly takes effect July 1, 2022.

Funding in the law includes:

- \$26.18 million for 14 habitat and recreation projects, including nearly \$7.4 million for state trail rehabilitation and enhancement;
- \$11.29 million for 11 projects to protect, restore and enhance land, water and habitat;
- \$9 million for natural resources data and information;
- \$6.23 million to support the Minnesota Invasive Terrestrial Plants and Pests Center to fund research projects to better manage invasive plants, pathogens, and pests on Minnesota's natural and agricultural lands;
- \$5.78 million for water resources;
- \$4.27 million for nine projects related to environmental education;
- \$2 million to replace failing septic systems to protect groundwater;

- \$843,000 for air quality and renewable energy projects;
- \$800,000 to establish a Pig's Eye Landfill Task Force to coordinate efforts to remediate and restore a Superfund site and address PFAS contamination of Battle Creek, Pig's Eye Lake and nearby groundwater;
- \$763,000 for the Forever Green Agriculture Initiative at the University of Minnesota;
- \$750,000 to provide onetime state incentive payments to enrollees in the federal Conservation Reserve Program during the continuous enrollment period and to enroll land in conservation easements;
- \$500,000 for an enhanced forest inventory on county and private lands;
- \$500,000 for continued mapping of the aggregate resource potential in the state and to make the information available in print and electronic format to local units of government for use in planning and zoning;
- \$500,000 to develop enterprises, supply chains, and markets for continuous living cover crops and cropping systems in the early stage of commercial development;
- \$400,000 to complete a centralized aquifer property database to provide needed data for site characterization;
- \$360,000 to assist in constructing rural and farmstead ring levees for flood protection in the Red River watershed;
- \$200,000 to procure an analysis of the extent of leaded gasoline contamination in or near the cities of Paynesville, Foley, Alexandria, and Blaine, and of the threat posed by the contamination to each city's drinking water supply; and
- \$200,000 to build and improve living snow fences consisting of trees, shrubs, native grasses and wildflowers.

The law also outlines the availability of appropriations, data availability requirements, project requirements, payment conditions and capital equipment expenditures, purchasing recycled and recyclable materials, energy conservation and sustainable building guidelines, accessibility, carryforward/extensions and transfers.

HF3765*/SF4043/CH94

FAMILY

Office of the Foster Youth Ombudsperson created

Resources, advocacy and visibility are some plusses of a new law aimed at protecting children, some who've already experienced hard times.

An Office of the Foster Youth Ombudsperson and Board of the Foster Youth Ombudsperson will be created thanks to a new law that takes effect July 1, 2022.

Per the law, "The foster youth ombudsperson is accountable to the governor and may investigate decisions, acts, and other matters related to the health, safety, and welfare of youth in foster care to promote the highest attainable standards of competence, efficiency, and justice for youth who are in the care of the state."

Among the ombudsperson duties will be:

- establishing a complaint process, including submission and review;
- determining the scope and manner of investigations;
- making recommendations to the governor and Legislature;
- investigating administrative agency actions, including examining where a youth in foster care is physically placed;

- the power to subpoena someone to appear, give testimony or produce documents or other evidence relevant to an inquiry; and
- upon a youth's request, being present at court proceedings, conferences, deliberations and related meetings.

The Board of the Foster Youth Ombudsman will make recommendations to the foster youth ombudsman and staff while continuously overseeing the ombudsman's work.

A \$775,000 fiscal year 2023 appropriation will create and operate the Office of the Foster Youth Ombudsman and Board of the Foster Youth Ombudsman. Its base appropriation will be \$726,000 in both fiscal years 2024 and 2025.

Rep. Jessica Hanson (DFL-Burnsville) and Sen. Karin Housley (R-Stillwater) sponsor the law.
HF3845*/SF4209/CH63

HEALTH

New law reorganizes, clarifies statutes regarding disability waivers

A new law reorganizes statutes regarding the disability waiver rate system, which sets reimbursement rates for home- and community-based disability services under Medicaid.

It also aims to make the statutes easier to read and amend, by, for example, rendering terms more consistent and making the basic format of the rate calculations consistent.

And it requires the Department of Human Services to recommend an update to the competitive workforce factor every two years. It cannot change by more than 2%.

The law, effective July 1, 2022, is sponsored by Rep. Jennifer Schultz (DFL-Duluth) and Sen. Jim Abeler (R-Anoka).

HF3267/SF2774*/CH33

HHS policy law modifies programs, projects and regulations

A new law makes changes to policies governing the Health and Human Services departments.

The wide-ranging law sponsored by Rep. Jennifer Schultz (DFL-Duluth) and Sen. Jim Abeler (R-Anoka) makes changes affecting child welfare and protection, health-related licensing boards, behavioral health policies, continuing care for older adults, services for people with disabilities, programs to protect children and vulnerable adults, preventing homelessness, economic assistance, and licensing and operations policies at the Department of Human Services.

Provisions that take effect July 1, 2022 include:

- a \$522,000 appropriation in fiscal year 2023 from the State Government Special Revenue Fund to the Department of Human Services to implement provisions to eliminate duplicative background studies for personal care assistants and other health aides not licensed through professional boards;
- establishment of a loan forgiveness program for individual home and community-based services workers for education in nursing and other health care fields;
- permitting licensed pharmacists to inject prescribed medication and place drug monitoring devices;
- clarifying that federally recognized tribal nations are eligible to receive emergency services grants from the Department of Human Services; and
- clarifying regulations on products containing cannabinoids.

HF4065*/SF3816/CH98

HIGHER EDUCATION

State senator's diagnosis spurs funding for ALS research and support

A bipartisan effort to provide hope and help for people living with a debilitating neurological disorder has resulted in a combined \$25 million to fund ALS research and caregiver support programs.

Amyotrophic lateral sclerosis, commonly called Lou Gehrig's disease, is a progressive neurodegenerative disease that affects nerve cells in the brain and spinal cord, causing loss of muscle control needed to move, speak, eat and breathe. It has no cure.

Sen. David Tomassoni (I-Chisholm), who sponsors the law with Rep. Dave Lislegard (DFL-Aurora), was diagnosed last year with ALS.

The law, which takes effect July 1, 2022, will appropriate \$20 million in fiscal year 2023 to promote research related to prevention, treatment, causes, and hopefully an eventual cure. The Office of Higher Education will award competitive grants to applicants.

It also appropriates \$5 million in fiscal year 2023 to the Board on Aging, to support families caring for people living with ALS and to provide home medical respite care.

The onetime appropriation for both purposes is available through June 30, 2026.

HF3603/SF3372*/CH42

PUBLIC SAFETY

Minnesota Sentencing Guidelines Commission employees get reclassified

State civil service includes both classified and unclassified service, which operate under different employment laws governing hiring, discipline, and discharge decisions.

A new law, effective July 1, 2022, transitions employees of the Minnesota Sentencing Guidelines Commission from unclassified to classified service, without loss of seniority.

Classified employees are hired through a competitive examination process and can be dismissed only for just cause. Discipline decisions, up to and including discharge, must follow the procedures under an applicable collective bargaining agreement, plan, or as provided in the state rules on workplace grievances.

The commission's research director will remain in the unclassified service.

Rep. Dave Pinto (DFL-St. Paul) and Sen. Warren Limmer (R-Maple Grove) sponsor the law.

HF3013*/SF2669/CH76

STATE GOVERNMENT

Wagers on horse races will help competitors later in life

A new law that takes effect July 1, 2022, will allow breeders fund dollars to also be used to support the adoption, retirement and repurposing of racehorses.

The fund gets its money, in part, from fees, taxes, and set-asides on race track and card club activity, including a tax on the live racing handle at Canterbury Park and Running Aces, and a fee on wagers by Minnesota residents with an advance deposit wagering provider.

Managed by the Minnesota Racing Commission, funds are used to cover costs associated with regulating horse racing and pari-mutuel wagering in the state.

Rep. Ami Wazlawik (DFL-White Bear Township) and Sen. Zach Duckworth (R-Lakeville) sponsor the law that has zero cost to the state.

HF3545*/SF2950/CH52

Trio wrongly imprisoned will get relief via claims law

Each year, a joint House-Senate Subcommittee on Claims decides which claims against the state it should fund.

This year's law calls for \$813,315 in payments in fiscal year 2023 to three people who sought relief under the Imprisonment and Exoneration Remedies Act that provides a compensation process for cases where a person was exonerated of a felony for which they were wrongfully incarcerated.

The awards are:

- \$423,212 to Benjamin Hill, who was wrongfully imprisoned/on supervised release for five years;
- \$225,000 to Joseph Livingston, who spent two years and seven days in prison; and
- \$165,103 to Bryan Bemboom, who served 23 months in prison.

Rep. Mary Murphy (DFL-Hermantown) and Sen. Bruce Anderson (R-Buffalo Township) sponsor the law that takes effect July 1, 2022.

HF4670*/SF4339/CH88