

Subd. 2. PENALTY. A seller who violates this section is subject to a civil penalty of not more than \$500 and shall refund the surcharge to each buyer.

Approved May 20, 1987

CHAPTER 173—H.F.No. 270

An act relating to adoption; providing for notice of an adopted child or genetic parent's death or terminal illness; proposing coding for new law in Minnesota Statutes, chapter 259.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [259.253] NOTIFICATION OF DEATH OR TERMINAL ILLNESS.

Subdivision 1. DEATH NOTIFICATION. (a) An agency authorized to place a child for adoption shall inform parents who adopt a child on or after August 1, 1987, that they must notify the agency if the child dies. The agency also shall inform the adoptive parents that the adoptive parents of an adopted child under age 19 or an adopted person age 19 or older may maintain a current address on file with the agency and indicate a desire to be notified if the agency receives information of the death of a genetic parent. The agency shall inform genetic parents who are entitled to notice under section 259.26 that the agency will notify them of the child's death and the cause of death, if known, provided that the genetic parents desire notice and maintain current addresses on file with the agency. The agency shall inform genetic parents entitled to notice under section 259.26 that they may designate individuals to notify the agency if a genetic parent dies and that the agency receiving information of the genetic parent's death will share it with adoptive parents, if the adopted person is under age 19, or an adopted person age 19 or older who has indicated a desire to be notified of the death of a genetic parent and who maintains a current address on file with the agency.

(b) Notice to a genetic parent that a child has died or to the adoptive parents or an adopted person age 19 or older that a genetic parent has died shall be provided by an employee of the agency through personal, confidential contact, not by mail.

(c) Adoptive parents residing in this state whose child was adopted through an agency in another state shall, if the child dies, notify the agency of the child's death.

Subd. 2. TERMINAL ILLNESS NOTIFICATION. An agency authorized to place a child for adoption shall inform the adoptive parents and genetic parents of a child who is adopted on or after August 1, 1987, that the genetic parents, the adoptive parents of an adopted person under age 19, or an adopted

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person age 19 or older may request to be notified if a genetic parent or the child is terminally ill. The agency shall notify the other parties if a request is received under this subdivision and inform them that upon their request the agency will share information regarding a terminal illness with the adoptive or genetic parents or an adopted person age 19 or older.

Approved May 20, 1987

CHAPTER 174—H.F.No. 332

An act relating to environment; authorizing the pollution control agency to issue administrative orders assessing penalties; establishing a hearing procedure; providing for the distribution and expenditure of monetary penalties; proposing coding for new law in Minnesota Statutes, chapter 116.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[116.072] ADMINISTRATIVE PENALTIES FOR HAZARDOUS WASTE VIOLATIONS.**

Subdivision 1. AUTHORITY TO ISSUE PENALTY ORDERS. The director may issue an order requiring violations to be corrected and administratively assessing monetary penalties for hazardous waste violations under sections 115.061 and 116.07, and Minnesota Rules, chapter 7045. The order must be issued as provided in this section.

Subd. 2. AMOUNT OF PENALTY; CONSIDERATIONS. (a) The director may issue an order assessing a penalty up to \$10,000 for all violations identified during an inspection.

(b) In determining the amount of a penalty the director may consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;

(3) the history of past violations;

(4) the number of violations;

(5) the economic benefit gained by the person by allowing or committing the violation; and

(6) other factors as justice may require, if the director specifically identifies the additional factors in the director's order.

(c) For a violation after an initial violation, the director shall, in determining the amount of a penalty, consider the factors in paragraph (b) and the:

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