

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 19, 1997

Signed by the governor May 20, 1997, 10:47 a.m.

CHAPTER 192—S.F.No. 1316

An act relating to state agencies; modifying requirements for advisory councils and committees and multimember agencies; changing certain publication dates and requirements; changing expiration dates; amending Minnesota Statutes 1996, sections 15.059, subdivision 5, and by adding a subdivision; 15.0597, subdivisions 2 and 3; 15.0599, subdivisions 1, 4, 5, and by adding subdivisions; 16B.42, subdivision 1; 17.136; 17.49, subdivision 1; 18B.305, subdivision 3; 21.112, subdivision 2; 28A.20, subdivision 2, and by adding a subdivision; 31.95, subdivision 3a; 62Q.03, subdivision 5a; 120.1701, subdivision 3; 124.48, subdivision 3; 126.531, subdivision 3; 126.56, subdivision 5; 134.31, subdivision 5; 144.672, subdivision 1; 145.881, subdivision 1; 148.622, subdivision 3; 161.1419, subdivision 8; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 214.32, subdivision 1; 245.697, subdivision 1; 254A.035, subdivision 2; and 254A.04.

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

Section 1. Minnesota Statutes 1996, section 15.059, subdivision 5, is amended to read:

Subd. 5. **EXPIRATION DATE.** (a) Unless a different date is specified by law, the existence of each advisory council and committee created established before January 1, 1993 1997, and governed by this section shall terminate on terminates June 30, 1993 1997. An advisory council or committee whose expiration is not governed by this section does not terminate June 30, 1993, unless specified by other law. An advisory council or committee created established by law and in existence after June 30, 1993 1997, expires on the date specified in the law creating establishing the group or on June 30, 1997 2001, whichever is sooner. This expiration provision subdivision applies whether or not the law creating establishing the group provides that the group is governed by this section.

(b) An advisory council or committee does not expire in accordance with paragraph (a) if it:

- (1) is an occupational licensure advisory group to a licensing board or agency;
- (2) administers and awards grants; or
- (3) is required by federal law or regulation.

A council or committee covered by this paragraph expires June 30, 2001.

Sec. 2. Minnesota Statutes 1996, section 15.059, is amended by adding a subdivision to read:

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Subd. 5a. NO EXPIRATION. Notwithstanding subdivision 5, the advisory councils and committees listed in this subdivision do not expire June 30, 1997. These groups expire June 30, 2001, unless the law creating the group or this subdivision specifies an earlier expiration date.

Investment advisory council, created in section 11A.08;

Intergovernmental information systems council, created in section 16B.42, expires June 30, 1999;

Feedlot and manure management advisory committee, created in section 17.136;

Aquaculture advisory committee, created in section 17.49;

Dairy producers board, created in section 17.76;

Pesticide applicator education and examination review board, created in section 18B.305;

Advisory seed potato certification task force, created in section 21.112;

Food safety advisory committee, created in section 28A.20;

Minnesota organic advisory task force, created in section 31.95;

Public programs risk adjustment work group, created in section 62Q.03, expires June 30, 1999;

Workers' compensation self-insurers' advisory committee, created in section 79A.02;

Youth corps advisory committee, created in section 84.0887;

Iron range off-highway vehicle advisory committee, created in section 85.013;

Mineral coordinating committee, created in section 93.002;

Game and fish fund citizen advisory committees, created in section 97A.055;

Wetland heritage advisory committee, created in section 103G.2242;

Wastewater treatment technical advisory committee, created in section 115.54;

Solid waste management advisory council, created in section 115A.12;

Nuclear waste council, created in section 116C.711;

Genetically engineered organism advisory committee, created in section 116C.93;

Environment and natural resources trust fund advisory committee, created in section 116P.06;

Child abuse prevention advisory council, created in section 119A.13;

Chemical abuse and violence prevention council, created in section 119A.27;

Youth neighborhood services advisory board, created in section 119A.29;

Interagency coordinating council, created in section 120.1701, expires June 30, 1999;

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- Desegregation/integration advisory board, created in section 121.1601;
Nonpublic education council, created in section 123.935;
Permanent school fund advisory committee, created in section 124.078;
Indian scholarship committee, created in section 124.48;
American Indian education committees, created in section 126.531;
Summer scholarship advisory committee, created in section 126.56;
Multicultural education advisory committee, created in section 126.82;
Male responsibility and fathering grants review committee, created in section 126.84;
Library for the blind and physically handicapped advisory committee, created in section 134.31;
Higher education advisory council, created in section 136A.031;
Student advisory council, created in section 136A.031;
Cancer surveillance advisory committee, created in section 144.672;
Maternal and child health task force, created in section 145.881;
State community health advisory committee, created in section 145A.10;
Mississippi River Parkway commission, created in section 161.1419;
School bus safety advisory committee, created in section 169.435;
Advisory council on workers' compensation, created in section 175.007;
Code enforcement advisory council, created in section 175.008;
Medical services review board, created in section 176.103;
Apprenticeship advisory council, created in section 178.02;
OSHA advisory council, created in section 182.656;
Health professionals services program advisory committee, created in section 214.32;
Rehabilitation advisory council for the blind, created in section 248.10;
American Indian advisory council, created in section 254A.035;
Alcohol and other drug abuse advisory council, created in section 254A.04;
Medical assistance drug formulary committee, created in section 256B.0625;
Home care advisory committee, created in section 256B.071;
Preadmission screening, alternative care, and home and community-based services advisory committee, created in section 256B.0911;
Traumatic brain injury advisory committee, created in section 256B.093;

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Minnesota commission serving deaf and hard-of-hearing people, created in section 256C.28;

American Indian child welfare advisory council, created in section 257.3579;

Juvenile justice advisory committee, created in section 268.29;

Northeast Minnesota economic development fund technical advisory committees, created in section 298.2213;

Iron range higher education committee, created in section 298.2214;

Northeast Minnesota economic protection trust fund technical advisory committee, created in section 298.297;

Pipeline safety advisory committee, created in section 299J.06, expires June 30, 1998;

Battered women's advisory council, created in section 611A.34.

Sec. 3. Minnesota Statutes 1996, section 15.0597, subdivision 2, is amended to read:

Subd. 2. **COLLECTION OF DATA.** The chair of an existing agency or the chair's designee, or the appointing authority for the members of a newly created agency, shall provide the secretary, on forms prepared and distributed by the secretary, with the following data pertaining to that agency:

- (1) the name of the agency, its mailing address, and telephone number;
- (2) the legal authority for the creation of the agency and the name of the person appointing agency members;
- (3) the powers and duties of the agency;
- (4) the number of authorized members, together with any prescribed restrictions on eligibility such as employment experience or geographical representation;
- (5) the dates of commencement and expiration of the membership terms and the expiration date of the agency, if any;
- (6) the compensation of members, and appropriations or other funds available to the agency;
- (7) the regular meeting schedule, if any, and approximate number of hours per month of meetings or other activities required of members;
- (8) the roster of current members, including mailing addresses and telephone numbers; and
- (9) a breakdown of the membership showing distribution by county, legislative district, and congressional district, and, only if the member has voluntarily supplied the information, the sex, political party preference or lack thereof of party preference, race, and national origin of the members.

The secretary may provide for the submission of data in accordance with this subdivision by electronic means. The publication requirement under clause (8) may be met by publishing a member's home or business address and telephone number, the address and

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telephone number of the agency to which the member is appointed, the member's electronic mail address, if provided, or any other information that would enable the public to communicate with the member.

Sec. 4. Minnesota Statutes 1996, section 15.0597, subdivision 3, is amended to read:

Subd. 3. **PUBLICATION OF AGENCY DATA.** The secretary of state shall provide for annual updating of the required data and shall annually arrange for the publication in the state register of the compiled data from all agencies on or about ~~November~~ October 15 of each year. Copies of the compilation shall must be delivered to the governor and the legislature. Copies of the compilation shall must be made available by the secretary to any interested person at cost, and copies shall must be available for viewing by interested persons. The chair of an agency who does not submit data required by this section or who does not notify the secretary of a vacancy in the agency, shall ~~is~~ not be eligible for a per diem or expenses in connection with agency service until December 1 of the following year.

Sec. 5. Minnesota Statutes 1996, section 15.0599, subdivision 1, is amended to read:

Subdivision 1. **APPLICABILITY.** For purposes of this section, "agency" means:

(1) a state board, commission, council, committee, authority, task force, including an advisory task force established under section 15.014 or 15.0593, other multimember agency, however designated, established by statute or order and having statewide jurisdiction;

(2) the metropolitan council established by section 473.123, a metropolitan agency as defined in section 473.121, subdivision 5a, or a multimember body, however designated, appointed by the metropolitan council established by section 473.123 or a metropolitan agency as defined in section 473.121, subdivision 5a, if the membership includes at least one person who is not a member of the council or the agency; and

(3) a multimember body whose members are appointed by the legislature if the body has at least one nonlegislative member; and

(4) any other multimember body established by law with at least one appointed member, without regard to the appointing authority.

"Secretary" means the secretary of state.

Sec. 6. Minnesota Statutes 1996, section 15.0599, subdivision 4, is amended to read:

Subd. 4. **REGISTRATION; INFORMATION REQUIRED.** (a) The appointing authority of a newly established agency or the authority's designee shall provide the secretary with the following information:

(1) the name, mailing address, and telephone number of the agency;

(2) the legal authority for the establishment of the agency and the name and the title of the person or persons appointing agency members;

(3) the powers and duties of the agency and whether the agency, however designated, is best described by section 15.012, paragraph (a), (b), (c), (e), or (f);

(4) the number of authorized members, together with any prescribed restrictions on eligibility;

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(5) the roster of current members, including mailing addresses and telephone numbers;

(6) a breakdown of the membership showing distribution by county, legislative district, and congressional district and compliance with any restrictions listed in accordance with clause (4);

(7) if any members have voluntarily provided the information, the sex, age, political preference or lack of preference, race, and national origin of those members;

(8) the dates of commencement and expiration of membership terms and the expiration date of the agency, if any;

(9) the compensation of members and appropriations or other money available to the agency;

(10) the name of the state agency or other entity, if any, required to provide staff or administrative support to the agency;

(11) the regular meeting schedule, if any, and the approximate number of hours a month of meetings or other activities required of members; and

(12) a brief statement of the goal or purpose of the agency, along with a summary of what an existing agency has done, or what a newly established agency plans to do to achieve its goal or purpose.

The publication requirement under clause (5) may be met by publishing a member's home or business address and telephone number, the address and telephone number of the agency to which the member is appointed, the member's electronic mail address, or any other information that would enable the public to communicate with the member.

(b) The chair of an existing agency or the chair's designee shall provide information, covering the fiscal year in which it is registering, on the number of meetings it has held, its expenses, and the number of staff hours, if any, devoted to its support. The chair or designee shall also, if necessary, update any of the information previously provided in accordance with paragraph (a).

(c) The secretary shall provide forms for the reporting of information required by this subdivision and may provide for reporting by electronic means.

Sec. 7. Minnesota Statutes 1996, section 15.0599, is amended by adding a subdivision to read:

Subd. 4a. **ELIGIBILITY FOR COMPENSATION.** The members of an agency that submits all the information required by this section by the prescribed deadlines are eligible to receive compensation, but no compensation, including reimbursement for expenses, may be paid to members of an agency not in compliance with this section. If an agency has not submitted all required information by its applicable deadline, the secretary shall notify the agency that it is not in compliance and that it has 30 days from the date of the notice to achieve compliance. If the agency is out of compliance at the end of the 30-day period, the secretary shall notify the commissioner of finance that members of the agency are not entitled to compensation. If the agency subsequently complies with this section, the secretary shall notify the commissioner that the agency's members are eligible for compensation from the date of compliance. No retroactive compensation may be paid, however, for any period during which the agency was out of compliance.

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Sec. 8. Minnesota Statutes 1996, section 15.0599, subdivision 5, is amended to read:

Subd. 5. **REPORTING BY SECRETARY.** ~~By August~~ October 15 of each year, the secretary shall furnish copies and a summary of the information collected under subdivision 4 to the legislative reference library.

Sec. 9. Minnesota Statutes 1996, section 15.0599, is amended by adding a subdivision to read:

Subd. 6. **ELECTRONIC PUBLICATION.** Any material that under sections 15.0597 to 15.0599 is required to be published in the State Register may instead be published on the World Wide Web.

If that option is used, the secretary of state shall publish notice of that fact in the State Register at least once a year and shall send the same notice by United States mail to all persons who have registered with the secretary for the purpose of receiving notice of the secretary's listings.

Sec. 10. Minnesota Statutes 1996, section 16B.42, subdivision 1, is amended to read:

Subdivision 1. **COMPOSITION.** The intergovernmental information systems advisory council is composed of (1) two members from each of the following groups: counties outside of the seven-county metropolitan area, cities of the second and third class outside the metropolitan area, cities of the second and third class within the metropolitan area, and cities of the fourth class; (2) one member from each of the following groups: the metropolitan council, an outstate regional body, counties within the metropolitan area, cities of the first class, school districts in the metropolitan area, school districts outside the metropolitan area, and public libraries; (3) one member each appointed by the state departments of children, families, and learning, human services, revenue, and economic security, the office of strategic and long-range planning, and the legislative auditor; (4) one member from the office of the state auditor, appointed by the auditor; (5) the assistant commissioner of administration for the information policy office; (6) one member appointed by each of the following organizations: league of Minnesota cities, association of Minnesota counties, Minnesota association of township officers, and Minnesota association of school administrators; and (7) one member of the house of representatives appointed by the speaker and one member of the senate appointed by the subcommittee on committees of the committee on rules and administration. The legislative members appointed under clause (7) are nonvoting members. The commissioner of administration shall appoint members under clauses (1) and (2). The terms, compensation, and removal of the appointed members of the advisory council are as provided in section 15.059, but the council does not expire until June 30, ~~1997~~ 1999.

Sec. 11. Minnesota Statutes 1996, section 17.136, is amended to read:

17.136 ANIMAL FEEDLOTS; POLLUTION CONTROL; FEEDLOT AND MANURE MANAGEMENT ADVISORY COMMITTEE.

(a) The commissioner of agriculture and the commissioner of the pollution control agency shall establish a feedlot and manure management advisory committee to identify needs, goals, and suggest policies for research, monitoring, and regulatory activities regarding feedlot and manure management. In establishing the committee, the commissioner shall give first consideration to members of the existing feedlot advisory group.

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(b) The committee must include representation from beef, dairy, pork, chicken, and turkey producer organizations. The committee shall not exceed 18 members, but, after June 30, 1997, must include representatives from at least three four environmental organizations, eight livestock producers, and four experts in soil and water science, nutrient management, and animal husbandry, one member from an organization representing local units of government, one member from and chairs of the senate, and one member from the house of representatives committees that deal with agricultural policy or the designees of the chairs. In addition, the department departments of agriculture, health, and natural resources, the pollution control agency, board of water and soil resources, soil and water conservation districts, the federal Soil Natural Resource Conservation Service, the association of Minnesota counties, and the Agricultural Stabilization and Conservation Farm Service Agency shall serve on the committee as ex officio nonvoting members.

(c) ~~Persons who participated in activities of the feedlot advisory group existing on and before August 1, 1994, must be allowed to speak at proceedings of the advisory committee. These persons hold nonvoting status and are not eligible for reimbursement of expenses under paragraph (h).~~

(d) The advisory committee shall elect a chair and a vice-chair from its members. The department and the agency shall provide staff support to the committee.

(e) ~~(d)~~ The commissioner of agriculture and the commissioner of the pollution control agency shall consult with the advisory committee during the development of any policies, rules, or funding proposals or recommendations relating to feedlots or feedlot-related manure management.

(f) ~~(e)~~ The commissioner of agriculture shall consult with the advisory committee on establishing a list of manure management research needs and priorities.

(g) ~~(f)~~ The advisory committee shall advise the commissioners on other appropriate matters.

(h) ~~(g)~~ Nongovernment members of the advisory committee shall receive expenses, in accordance with section 15.059, subdivision 6. The advisory committee expires on June 30, 1997 2001.

Sec. 12. Minnesota Statutes 1996, section 17.49, subdivision 1, is amended to read:

Subdivision 1. **PROGRAM ESTABLISHED.** The commissioner shall establish and promote a program of aquaculture in consultation with an advisory committee consisting of the University of Minnesota, the commissioner of natural resources, the commissioner of agriculture, representatives of the private aquaculture industry, and the chairs of the environment and natural resources committees of the house of representatives and senate. The advisory committee expires on June 30, 2001.

Sec. 13. Minnesota Statutes 1996, section 18B.305, subdivision 3, is amended to read:

Subd. 3. **PESTICIDE APPLICATOR EDUCATION AND EXAMINATION REVIEW BOARD.** (a) The commissioner shall establish and chair a pesticide applicator education and examination review board. This board, consisting of 15 members, must meet at least once a year before the initiation of pesticide educational planning programs. The purpose of the board is to discuss topics of current concern that can be incorporated

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into pesticide applicator training sessions and appropriate examinations. This board shall review and evaluate the various educational programs recently conducted and recommend options to increase overall effectiveness.

(b) Membership on this board must represent industry, private, nonprofit organizations, include applicators representing various licensing categories, such as agriculture, turf and ornamental, aerial, aquatic, and structural pest control and private pesticide applicators, and other governmental agencies, including the University of Minnesota, the pollution control agency, department of health, department of natural resources, and department of transportation.

(c) Membership on the board must include representatives from environmental protection organizations.

(d) This board shall review licensing and certification requirements for private, commercial, and noncommercial applicators and provide a report to the commissioner with recommendations by January 15, 1998. This board shall review category requirements and provide recommendations to the commissioner. This board expires on June 30, 2001.

Sec. 14. Minnesota Statutes 1996, section 21.112, subdivision 2, is amended to read:

Subd. 2. **ADVISORY SEED POTATO CERTIFICATION TASK FORCE.** The commissioner may appoint an advisory seed potato certification task force. If the task force is appointed each member shall be a grower in Minnesota of certified seed potatoes. ~~The task force shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059.~~ The task force shall expire June 30, 2001.

Sec. 15. Minnesota Statutes 1996, section 28A.20, subdivision 2, is amended to read:

Subd. 2. **MEMBERSHIP.** (a) The food safety advisory committee consists of:

- (1) the commissioner of agriculture;
- (2) the commissioner of health;
- (3) a representative of the United States Food and Drug Administration;
- (4) a representative of the United States Department of Agriculture;
- (5) a representative of the agricultural utilization research institute;
- ~~(5)~~ (6) one person from the University of Minnesota knowledgeable in food and food safety issues; and
- ~~(6)~~ (7) nine members appointed by the governor who are interested in food and food safety, of whom:
 - (i) two persons are health or food professionals;
 - (ii) one person represents a statewide general farm organization;
 - (iii) one person represents a local food inspection agency; and
 - (iv) one person represents a food-oriented consumer group.

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(b) Members shall serve without compensation. Members appointed by the governor shall serve four-year terms.

Sec. 16. Minnesota Statutes 1996, section 28A.20, is amended by adding a subdivision to read:

Subd. 6. EXPIRATION. This section expires on June 30, 2001.

Sec. 17. Minnesota Statutes 1996, section 31.95, subdivision 3a, is amended to read:

Subd. 3a. **CERTIFICATION ORGANIZATIONS.** (a) A Minnesota grown organic product that is labeled "certified" must be certified by a designated certification organization.

(b) A certified organic product sold in this state must be certified by a designated certification organization or by a certification organization approved by the commissioner. Before approving a certification organization, the commissioner must seek the evaluation and recommendation of the Minnesota organic advisory task force.

(c) The commissioner shall appoint a Minnesota organic advisory task force composed of members of the organic industry to advise the commissioner on organic issues. Members of the task force may not be paid compensation or costs for expenses. The task force expires on June 30, 2001.

Sec. 18. Minnesota Statutes 1996, section 62Q.03, subdivision 5a, is amended to read:

Subd. 5a. **PUBLIC PROGRAMS.** (a) A separate risk adjustment system must be developed for state-run public programs, including medical assistance, general assistance medical care, and MinnesotaCare. The system must be developed in accordance with the general risk adjustment methodologies described in this section, must include factors in addition to age and sex adjustment, and may include additional demographic factors, different targeted conditions, and/or different payment amounts for conditions. The risk adjustment system for public programs must attempt to reflect the special needs related to poverty, cultural, or language barriers and other needs of the public program population.

(b) The commissioners of health and human services shall jointly convene a public programs risk adjustment work group responsible for advising the commissioners in the design of the public programs risk adjustment system. The public programs risk adjustment work group is governed by section 15.059 for purposes of membership terms and removal of members and shall terminate on June 30, 1999. The work group shall meet at the discretion of the commissioners of health and human services. The commissioner of health shall work with the risk adjustment association to ensure coordination between the risk adjustment systems for the public and private sectors. The commissioner of human services shall seek any needed federal approvals necessary for the inclusion of the medical assistance program in the public programs risk adjustment system.

(c) The public programs risk adjustment work group must be representative of the persons served by publicly paid health programs and providers and health plans that meet their needs. To the greatest extent possible, the appointing authorities shall attempt to select representatives that have historically served a significant number of persons in publicly paid health programs or the uninsured. Membership of the work group shall be as follows:

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- (1) one provider member appointed by the Minnesota Medical Association;
 - (2) two provider members appointed by the Minnesota Hospital Association, at least one of whom must represent a major disproportionate share hospital;
 - (3) five members appointed by the Minnesota Council of HMOs, one of whom must represent an HMO with fewer than 50,000 enrollees located outside the metropolitan area and one of whom must represent an HMO with at least 50 percent of total membership enrolled through a public program;
 - (4) two representatives of counties appointed by the Association of Minnesota Counties;
 - (5) three representatives of organizations representing the interests of families, children, childless adults, and elderly persons served by the various publicly paid health programs appointed by the governor;
 - (6) two representatives of persons with mental health, developmental or physical disabilities, chemical dependency, or chronic illness appointed by the governor; and
 - (7) three public members appointed by the governor, at least one of whom must represent a community health board. The risk adjustment association may appoint a representative, if a representative is not otherwise appointed by an appointing authority.
- (d) The commissioners of health and human services, with the advice of the public programs risk adjustment work group, shall develop a work plan and time frame and shall coordinate their efforts with the private sector risk adjustment association's activities and other state initiatives related to public program managed care reimbursement. The commissioners of health and human services shall report to the health care commission and to the appropriate legislative committees on January 15, 1996, and on January 15, 1997, on any policy or legislative changes necessary to implement the public program risk adjustment system.

Sec. 19. Minnesota Statutes 1996, section 120.1701, subdivision 3, is amended to read:

Subd. 3. **STATE INTERAGENCY COORDINATING COUNCIL.** An inter-agency coordinating council of at least 17, but not more than 25 members is established, in compliance with Public Law Number 102-119, section 682. The members shall be appointed by the governor. Council members shall elect the council chair. The representative of the commissioner of children, families, and learning may not serve as the chair. The council shall be composed of at least five parents, including persons of color, of children with disabilities under age 12, including at least three parents of a child with a disability under age seven, five representatives of public or private providers of services for children with disabilities under age five, including a special education director, county social service director, and a community health services or public health nursing administrator, one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education or other preparation programs in early childhood intervention, at least one representative of advocacy organizations for children with disabilities under age five, one physician who cares for young children with special health care needs, one representative each from the commissioners of commerce, children, families, and learning, health, human services, and economic security, and a representative from Indian health services or a tribal coun-

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cil. Section 15.059, subdivisions 2 to 5, apply to the council. The council shall meet at least quarterly.

The council shall address methods of implementing the state policy of developing and implementing comprehensive, coordinated, multidisciplinary interagency programs of early intervention services for children with disabilities and their families.

The duties of the council include recommending policies to ensure a comprehensive and coordinated system of all state and local agency services for children under age five with disabilities and their families. The policies must address how to incorporate each agency's services into a unified state and local system of multidisciplinary assessment practices, individual intervention plans, comprehensive systems to find children in need of services, methods to improve public awareness, and assistance in determining the role of interagency early intervention committees.

Each year by June 1, the council shall recommend to the governor and the commissioners of children, families, and learning, health, human services, commerce, and economic security policies for a comprehensive and coordinated system.

Notwithstanding any other law to the contrary, the state interagency coordinating council shall expire on June 30, ~~1997~~ 1999.

Sec. 20. Minnesota Statutes 1996, section 124.48, subdivision 3, is amended to read:

Subd. 3. **INDIAN SCHOLARSHIP COMMITTEE.** The Minnesota Indian scholarship committee is established. Members shall be appointed by the state board with the assistance of the Indian affairs council as provided in section 3.922, subdivision 6. Members shall be reimbursed for expenses as provided in section 15.059, subdivision 6. The state board shall determine the membership terms and duration of the committee, which expires no later than June 30, ~~1997~~ 2001. The committee shall provide advice to the state board in awarding scholarships to eligible American Indian students and in administering the state board's duties regarding awarding of American Indian post-secondary preparation grants to school districts.

Sec. 21. Minnesota Statutes 1996, section 126.531, subdivision 3, is amended to read:

Subd. 3. Each committee shall be reimbursed for expenses according to section 15.059, subdivision 6. The state board shall determine the membership terms and the duration of each committee, which expire no later than June 30, ~~1997~~ 2001.

Sec. 22. Minnesota Statutes 1996, section 126.56, subdivision 5, is amended to read:

Subd. 5. **ADVISORY COMMITTEE.** An advisory committee shall assist the state board of education in approving eligible programs and shall assist the higher education services office in planning, implementing, and evaluating the scholarship program. The committee shall consist of 11 members, to include the executive director of the higher education services office or a representative, the commissioner of children, families, and learning or a representative, two secondary school administrators and two secondary teachers appointed by the commissioner of children, families, and learning, the executive director of the academic excellence foundation, a private college representative appointed by the president of the Minnesota private college council, a community college representative and a state university representative appointed by the chancellor of the

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Minnesota state colleges and universities, and a University of Minnesota representative appointed by the president of the University of Minnesota. The committee expires June 30, ~~1997~~ 2001.

Sec. 23. Minnesota Statutes 1996, section 134.31, subdivision 5, is amended to read:

Subd. 5. **ADVISORY COMMITTEE.** The commissioner shall appoint an advisory committee of five members to advise the staff of the Minnesota library for the blind and physically handicapped on long-range plans and library services. Members shall be people who use the library. Section 15.059 governs this committee except that the committee shall expire on June 30, ~~1997~~ 2001.

Sec. 24. Minnesota Statutes 1996, section 144.672, subdivision 1, is amended to read:

Subdivision 1. **RULE AUTHORITY.** The commissioner of health shall collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

The commissioner shall adopt rules to administer the system, collect information, and distribute data. The rules must include, but not be limited to, the following:

- (1) the type of data to be reported;
- (2) standards for reporting specific types of data;
- (3) payments allowed to hospitals, pathologists, and registry systems to defray their costs in providing information to the system;
- (4) criteria relating to contracts made with outside entities to conduct studies using data collected by the system. The criteria may include requirements for a written protocol outlining the purpose and public benefit of the study, the description, methods, and projected results of the study, peer review by other scientists, the methods and facilities to protect the privacy of the data, and the qualifications of the researcher proposing to undertake the study;
- (5) specification of fees to be charged under section 13.03, subdivision 3, for all out-of-pocket expenses for data summaries or specific analyses of data requested by public and private agencies, organizations, and individuals, and which are not otherwise included in the commissioner's annual summary reports. Fees collected are appropriated to the commissioner to offset the cost of providing the data; and
- (6) establishment of a committee to assist the commissioner in the review of system activities. The committee expires as provided in section 15.059, subdivision 5. The committee is governed by section 15.059, except it expires June 30, 2001.

Sec. 25. Minnesota Statutes 1996, section 145.881, subdivision 1, is amended to read:

Subdivision 1. **COMPOSITION OF TASK FORCE.** The commissioner shall establish and appoint a maternal and child health advisory task force consisting of 15 members who will provide equal representation from:

- (1) professionals with expertise in maternal and child health services;

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(2) representatives of community health boards as defined in section 145A.02, subdivision 5; and

(3) consumer representatives interested in the health of mothers and children.

No members shall be employees of the state department of health. ~~Task force members shall be appointed and removed as provided in section 15.059, subdivisions 2 and 4. The maternal and child health advisory task force shall terminate on the date provided by section 15.059, subdivision 5, and members shall receive compensation as provided in Section 15.059, subdivision 6 governs the maternal and child health advisory task force.~~

Sec. 26. Minnesota Statutes 1996, section 148.622, subdivision 3, is amended to read:

Subd. 3. **MEMBERSHIP TERMS; OFFICERS; QUORUM; EXPENSES.** (a) Members must be appointed for staggered terms of four years, with terms beginning August 1 of each ~~even-numbered~~ year. The terms of the initial board members ~~shall~~ must be determined by lot as follows: three one member must be appointed for a term that expires August 1, 2000; two members shall must be appointed for terms that expire August 1, 1999 1998; two members must be appointed for terms that expire August 1, 1997; and two members must be appointed for terms that expire August 1, 1995. Members of the board serve until the expiration of the term to which they have been appointed or until their successors have qualified. A person may not be appointed to serve more than two consecutive terms.

(b) The board shall organize annually and select a chair and vice-chair.

(c) Four members of the board, including two professional members and two public members, constitute a quorum to do business.

(d) The board shall hold at least two regular meetings each year. Additional meetings may be held at the call of the chair or at the written request of any three members of the board. At least 14 days' written advance notice of the board meeting is required.

(e) Board members receive compensation for their services in accordance with section 15.0575.

Sec. 27. Minnesota Statutes 1996, section 161.1419, subdivision 8, is amended to read:

Subd. 8. **EXPIRATION.** The commission shall expire on June 30, ~~1997~~ 2001.

Sec. 28. Minnesota Statutes 1996, section 175.008, is amended to read:

175.008 CODE ENFORCEMENT ADVISORY COUNCIL; CREATION.

The commissioner shall appoint an 11 member advisory council on code enforcement. The terms, compensation, removal of council members, and expiration of the council are governed by section 15.059, except that the advisory council shall not expire before June 30, ~~1995~~ 2001. The council shall advise the commissioner on matters within the council's expertise or under the regulation of the commissioner.

Sec. 29. Minnesota Statutes 1996, section 178.02, subdivision 2, is amended to read:

Subd. 2. **TERMS.** The council shall expire and the terms, compensation and removal of appointed members shall be as provided in section 15.059, except that the council shall not expire before June 30, ~~1995~~ 2001.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 30. Minnesota Statutes 1996, section 182.656, subdivision 3, is amended to read:

Subd. 3. A majority of the council members constitutes a quorum. The council shall meet at the call of its chair, or upon request of any six members. A tape recording of the meeting with the tape being retained for a one-year period will be available upon the request and payment of costs to any interested party. The council shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059, except that the council shall not expire before June 30, ~~1995~~ 2001.

Sec. 31. Minnesota Statutes 1996, section 214.32, subdivision 1, is amended to read:

Subdivision 1. **MANAGEMENT.** (a) A health professionals services program committee is established, consisting of one person appointed by each participating board, with each participating board having one vote. The committee shall designate one board to provide administrative management of the program, set the program budget and the pro rata share of program expenses to be borne by each participating board, provide guidance on the general operation of the program, including hiring of program personnel, and ensure that the program's direction is in accord with its authority. No more than half plus one of the members of the committee may be of one gender.

(b) The designated board, upon recommendation of the health professional services program committee, shall hire the program manager and employees and pay expenses of the program from funds appropriated for that purpose. The designated board may apply for grants to pay program expenses and may enter into contracts on behalf of the program to carry out the purposes of the program. The participating boards shall enter into written agreements with the designated board.

(c) An advisory committee is established to advise the program committee consisting of:

(1) one member appointed by each of the following: the Minnesota Academy of Physician Assistants, the Minnesota Dental Association, the Minnesota Chiropractic Association, the Minnesota Licensed Practical Nurse Association, the Minnesota Medical Association, the Minnesota Nurses Association, and the Minnesota Podiatric Medicine Association;

(2) one member appointed by each of the professional associations of the other professions regulated by a participating board not specified in clause (1); and

(3) two public members, as defined by section 214.02.

Members of the advisory committee shall be appointed for two years and members may be reappointed.

No more than half plus one of the members of the committee may be of one gender.

The advisory committee expires June 30, ~~1997~~ 2001.

Sec. 32. Minnesota Statutes 1996, section 245.697, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** A state advisory council on mental health is created. The council must have 30 members appointed by the governor in accordance with federal requirements. The council must be composed of:

New language is indicated by underline, deletions by ~~strikeout~~.

- (1) the assistant commissioner of mental health for the department of human services;
- (2) a representative of the department of human services responsible for the medical assistance program;
- (3) one member of each of the four core mental health professional disciplines (psychiatry, psychology, social work, nursing);
- (4) one representative from each of the following advocacy groups: mental health association of Minnesota, Minnesota alliance for the mentally ill, and Minnesota mental health law project;
- (5) providers of mental health services;
- (6) consumers of mental health services;
- (7) family members of persons with mental illnesses;
- (8) legislators;
- (9) social service agency directors;
- (10) county commissioners; and
- (11) other members reflecting a broad range of community interests, as the United States Secretary of Health and Human Services may prescribe by regulation or as may be selected by the governor.

The council shall select a chair. Terms, compensation, and removal of members and filling of vacancies are governed by section 15.059. ~~The council does not expire as provided in section 15.059. Notwithstanding provisions of section 15.059, the council and its subcommittee on children's mental health do not expire.~~ The commissioner of human services shall provide staff support and supplies to the council.

Sec. 33. Minnesota Statutes 1996, section 254A.035, subdivision 2, is amended to read:

Subd. 2. **MEMBERSHIP TERMS, COMPENSATION, REMOVAL AND EXPIRATION.** The membership of this council shall be composed of 17 persons who are American Indians and who are appointed by the commissioner. The commissioner shall appoint one representative from each of the following groups: Red Lake Band of Chippewa Indians; Fond du Lac Band, Minnesota Chippewa Tribe; Grand Portage Band, Minnesota Chippewa Tribe; Leech Lake Band, Minnesota Chippewa Tribe; Mille Lacs Band, Minnesota Chippewa Tribe; Bois Forte Band, Minnesota Chippewa Tribe; White Earth Band, Minnesota Chippewa Tribe; Lower Sioux Indian Reservation; Prairie Island Sioux Indian Reservation; Shakopee Mdewakanton Sioux Indian Reservation; Upper Sioux Indian Reservation; International Falls Northern Range; Duluth Urban Indian Community; and two representatives from the Minneapolis Urban Indian Community and two from the St. Paul Urban Indian Community. The terms, compensation, and removal of American Indian advisory council members shall be as provided in section 15.059. The council expires June 30, 1997 ~~2001~~.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 34. Minnesota Statutes 1996, section 254A.04, is amended to read:

254A.04 CITIZENS ADVISORY COUNCIL.

There is hereby created an alcohol and other drug abuse advisory council to advise the department of human services concerning the problems of alcohol and other drug dependency and abuse, composed of ten members. Five members shall be individuals whose interests or training are in the field of alcohol dependency and abuse; and five members whose interests or training are in the field of dependency and abuse of drugs other than alcohol. The terms, compensation and removal of members shall be as provided in section 15.059. The council expires June 30, ~~1997~~ 2001. The commissioner of human services shall appoint members whose terms end in even-numbered years. The commissioner of health shall appoint members whose terms end in odd-numbered years.

Sec. 35. EFFECTIVE DATE.

This act is effective June 30, 1997.

Presented to the governor May 19, 1997

Signed by the governor May 20, 1997, 10:50 a.m.

CHAPTER 193—S.F.No. 457

An act relating to professions; modifying provisions relating to the board of social work; providing civil penalties; amending Minnesota Statutes 1996, sections 13.99, subdivision 50; 148B.01, subdivisions 4 and 7; 148B.03; 148B.04, subdivisions 2, 3, and 4; 148B.06, subdivision 3; 148B.07; 148B.08, subdivision 2; 148B.18, subdivisions 4, 5, 11, and by adding subdivisions; 148B.19, subdivisions 1, 2, and 4; 148B.20, subdivision 1, and by adding a subdivision; 148B.21, subdivisions 3, 4, 5, 6, 7, and by adding a subdivision; 148B.215; 148B.22, by adding a subdivision; 148B.26, subdivision 1, and by adding a subdivision; 148B.27, subdivisions 1 and 2; and 148B.28, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 1996, sections 148B.01, subdivision 3; 148B.18, subdivisions 6 and 7; 148B.19, subdivision 3; and 148B.23.

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

Section 1. Minnesota Statutes 1996, section 13.99, subdivision 50, is amended to read:

Subd. 50. **RECORDS OF MENTAL HEALTH AND SOCIAL WORK DISCIPLINARY ACTION.** The administrative records of disciplinary action taken by a the board under chapter 148B of social work are sealed upon judicial review as provided in classified under section 148B.10 148B.285.

Sec. 2. Minnesota Statutes 1996, section 148B.01, subdivision 4, is amended to read:

Subd. 4. **BOARD OF MARRIAGE AND FAMILY THERAPY.** "Board of marriage and family therapy" means the board of marriage and family therapy established in section 148B.30.

New language is indicated by underline, deletions by ~~strikeout~~.