

(1) for a permanent easement, 50 percent of the average equalized estimated market value of cropland in the township as established by the commissioner of revenue for the time period when the application is made;

(2) for an easement of limited duration, a lump sum payment equal to the ~~present value of the annual payments for the term of the easement based on 50 percent of the mean adjusted cash rental for cropland in the county as established by the commissioner of revenue~~ 65 percent of the value of the permanent easement value for the time period when the application is made; or

(3) an alternative payment system for easements based on cash rent or a similar system as may be determined by the commissioner.

Sec. 24. **REPEALER.**

Minnesota Statutes 1986, section 92.25, is repealed.

Sec. 25. **EFFECTIVE DATE.**

Sections 6 to 10 and 24 are effective January 1, 1989.

Approved April 24, 1988

CHAPTER 629—S.F.No. 2226

An act relating to state government; amending certain provisions governing advisory councils, committees, and task forces; amending Minnesota Statutes 1986, sections 3.922, subdivisions 3 and 8; 3.9223, subdivision 1; 3.9225, subdivision 1; 3.9226, subdivision 1; 6.65; 15.059, subdivision 5; 15.0591, subdivision 1; 16B.27, subdivision 3; 79.51, subdivision 4; 84B.11, subdivision 1; 85A.02, subdivision 4; 115.54; 116C.59, subdivisions 1, 2, and 4; 116C.839; 121.83; 124.48, subdivision 3; 126.56, subdivision 5; 128A.03, subdivision 3; 135A.05; 136A.02, subdivision 7; 138.97, subdivision 3; 162.02, subdivision 2; 162.09, subdivision 2; 174.031, subdivision 2; 175.008; 182.653, subdivision 4e; 214.141; 248.10, subdivision 2; 254A.035, subdivision 2; 256C.28, subdivision 2; 299F.097; 611A.34, subdivision 1; 611A.71, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 15.059, subdivisions 3 and 6; 16B.20, subdivision 2; 43A.316, subdivision 4; 115A.12, subdivision 1; 116J.971, by adding a subdivision; 120.17, subdivision 11a; 121.934, subdivision 1; 123.935, subdivision 7; 126.665; 129C.10, subdivision 3; 136A.02, subdivision 6; 144.672, subdivision 1; 175.007, subdivision 1; 245.697, subdivision 1; 245.97, subdivision 6; 246.56, subdivision 2; 256.482, subdivision 1; 256.73, subdivision 7; 256B.064, subdivision 1a; 256B.27, subdivision 3; 256B.433, subdivisions 1 and 4; 299A.23, subdivision 2; 299J.06, subdivision 4; repealing Minnesota Statutes 1986, sections 116J.04; 160.80, subdivision 6; 177.28, subdivision 2; 326.66; Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 2.

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

Section 1. Minnesota Statutes 1986, section 3.922, subdivision 3, is amended to read:

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Subd. 3. **COMPENSATION; EXPENSES; EXPIRATION.** Compensation of nonlegislator members shall be as provided in section 15.059. Expenses of the council shall be approved by two of any three members of the council designated by the council and shall then be paid in the same manner as other state expenses are paid. The commissioner of finance shall be informed in writing by the executive secretary of the names of the persons authorized to approve expenses. The council expires on June 30, 1993.

Sec. 2. Minnesota Statutes 1986, section 3.922, subdivision 8, is amended to read:

Subd. 8. **ADVISORY COUNCIL.** An advisory council on urban Indians is created to advise the board on the unique problems and concerns of Minnesota Indians who are residing in urban areas of the state. The council shall be appointed by the board and shall consist of five Indians residing in the vicinity of Minneapolis, St. Paul and Duluth. At least one member of the council shall be a resident of each of the aforementioned cities. ~~The council shall expire, and terms, compensation and removal of members shall be as provided in section 15.059.~~ The council expires on June 30, 1993.

Sec. 3. Minnesota Statutes 1986, section 3.9223, subdivision 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** There is created a state council on affairs of Spanish-speaking people to consist of seven members appointed by the governor. The demographic composition of the council members shall accurately reflect the demographic composition of Minnesota's Spanish-speaking community, including migrant workers, as determined by the state demographer. Membership, terms, ~~compensation,~~ removal of members and filling of vacancies shall be as provided in section 15.0575. Compensation of members is as provided in section 15.059, subdivision 3. The council shall annually elect from its membership a chair and other officers it deems necessary. ~~The council shall expire expires on the date provided by section 15.059, subdivision 5~~ June 30, 1993.

Sec. 4. Minnesota Statutes 1986, section 3.9225, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** There is created a state council on Black Minnesotans to consist of seven members appointed by the governor. The members of the council shall be broadly representative of the Black community of the state and shall include at least three males and at least three females. Membership terms, compensation, removal of members and filling of vacancies for nonlegislative members shall be as provided in section 15.059. In addition, two members of the house of representatives appointed by the speaker and two members of the senate appointed by the subcommittee on committees of the committee on rules and administration shall serve as ex officio, nonvoting members of the council. The council shall annually elect from its membership a chair and other officers it deems necessary. The council expires on June 30, 1993.

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Sec. 5. Minnesota Statutes 1986, section 3.9226, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** The state council on Asian-Pacific Minnesotans consists of 13 members. Nine members are appointed by the governor and shall be broadly representative of the Asian-Pacific community of the state. Terms, compensation, removal, and filling of vacancies for these members are as provided in section 15.059. In addition, two members of the house of representatives appointed under the rules of the house of representatives and two members of the senate appointed under the rules of the senate shall serve as nonvoting members of the council. The council shall annually elect from its membership a chair and other officers it deems necessary. The council expires on June 30, 1993.

Sec. 6. Minnesota Statutes 1986, section 6.65, is amended to read:

6.65 MINIMUM PROCEDURES FOR AUDITORS, PRESCRIBED.

The state auditor shall prescribe minimum procedures and the audit scope for auditing the books, records, accounts, and affairs of local governments in Minnesota. The minimum scope for audits of all local governments shall include financial and legal compliance audits for fiscal years ending after January 15, 1984. ~~The state auditor shall establish a task force to promulgate an audit guide for legal compliance audits. The task force shall include representatives of the state auditor, the attorney general, towns, cities, counties, school districts and private sector public accountants.~~

Sec. 7. Minnesota Statutes 1987 Supplement, section 15.059, subdivision 3, is amended to read:

Subd. 3. **COMPENSATION.** Members of the advisory councils and committees shall be compensated at the rate of at least \$35 per day spent on council or committee activities, when authorized by the council or committee, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted pursuant to section 43A.18, subdivision 2. The state agency that provides funding for the advisory council or committee may authorize compensation of up to \$55 per day spent on council or committee activities. Members who, as a result of time spent attending council or committee meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon council or committee authorization. If members who are state employees or employees of political subdivisions receive the ~~\$35 per day~~ daily compensation, and if the major part of their activities occur during normal working hours for which they are also compensated by the state or political subdivision, the employer shall deduct the ~~\$35~~ daily compensation from the employee's compensation for the day. In no other case shall a member who is an employee of the state or a political subdivision suffer a loss in compensation or benefits from the state or political subdivision as a result of service on the council or committee. Members who are full-time state employees or full-time employees of the political subdivisions of the state may receive

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the expenses provided for in this section unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours.

Sec. 8. Minnesota Statutes 1986, section 15.059, subdivision 5, is amended to read:

Subd. 5. **EXPIRATION DATE.** Unless ~~an earlier~~ a different date is specified by law, the existence of each advisory council and committee governed by this section shall terminate on June 30, ~~1988~~ 1989.

Sec. 9. Minnesota Statutes 1987 Supplement, section 15.059, subdivision 6, is amended to read:

Subd. 6. **ADVISORY TASK FORCES.** If the existence of an advisory task force is mandated by statute, the task force shall expire on the date specified in the enabling legislation. If no expiration date is specified, the task force shall expire two years after the effective date of the act creating the advisory task force. If the existence of a task force is authorized but not mandated by statute, the task force shall expire at the pleasure of the person or group which creates the task force, or two years after the first members of the task force are appointed, whichever is sooner. A person or group mandated or with discretionary authority to create a task force may create another task force to continue the work of a task force which expires, unless the enabling legislation specifies an expiration date or creation of another task force is prohibited by other law.

Members of advisory task forces shall not receive the ~~\$35~~ per diem specified in this section but shall receive expenses in the same manner and amount as provided in the commissioner's plan under section 43A.18, subdivision 2. Members who, as a result of time spent attending task force meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon task force authorization. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their normal working hours. Members appointed to these advisory task forces shall serve until the expiration date of the advisory task force and may be removed pursuant to subdivision 4.

Sec. 10. Minnesota Statutes 1986, section 15.0591, subdivision 1, is amended to read:

Subdivision 1. **ADDITION OF MEMBERS.** The membership of state boards, commissions, advisory councils, task forces, or committees listed in subdivision 2 that have more than three public members shall include at least one member, 60 years of age or over. For purposes of this section, a public member is a person who is not a representative of a specified business, occupation, industry, political subdivision, organization, or other grouping of persons other than geographical regions. At least one of the members over 60 shall not

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be actively engaged in or retired from an occupation, profession, or industry, if any, to be regulated.

Sec. 11. Minnesota Statutes 1987 Supplement, section 16B.20, subdivision 2, is amended to read:

Subd. 2. **ADVISORY COUNCIL.** A small business procurement advisory council is created. The council consists of 13 members appointed by the commissioner of administration. A chair of the advisory council shall be elected from among the members. The appointments are subject to the appointments program provided by section 15.0597. The terms and removal of members are as provided in section 15.059, but members do not receive per diem. The council expires as provided in section 15.059, subdivision 5.

Sec. 12. Minnesota Statutes 1986, section 16B.27, subdivision 3, is amended to read:

Subd. 3. **COUNCIL.** The governor's residence council consists of the following 15 members: the commissioner; the spouse, or a designee of the governor; the executive director of the Minnesota state arts board; the director of the Minnesota historical society; a member of the senate appointed pursuant to the rules of the senate; a member of the house of representatives appointed pursuant to the rules of the house of representatives; seven persons appointed by the governor including one in the field of higher education, one member of the American Society of Interior Designers, Minnesota Chapter, one member of the American Institute of Architects, Minnesota chapter, one member of the American Society of Landscape Architects, Minnesota Chapter, one member of the family that donated the governor's residence to the state, if available, and four public members. Members of the council serve without compensation. Membership terms, removal, and filling of vacancies for members appointed by the governor are governed by section 15.0575. The council shall elect a chair and a secretary from among its members. ~~The council shall expire~~ expires on the date provided by section 15.059, subdivision 5 June 30, 1993.

Sec. 13. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 4, is amended to read:

Subd. 4. **LABOR-MANAGEMENT COMMITTEE.** There is created a labor-management committee of ten members appointed by the commissioner. The labor-management committee shall consist of five members who represent employees, including at least one retired employee, and five members who represent eligible employers. The commissioner shall consult with the labor-management committee in major decisions that affect the plan. The committee shall study issues relating to the insurance plan including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency. The committee expires as provided in section 15.059, subdivision 5.

Sec. 14. Minnesota Statutes 1986, section 79.51, subdivision 4, is amended to read:

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Subd. 4. **ADVISORY COMMITTEE.** The commissioner shall appoint an advisory committee which shall offer recommendations regarding rulemaking under this section. The advisory committee shall include representatives of insurers, employers, and employees. The advisory committee expires as provided in section 15.059, subdivision 5.

Sec. 15. Minnesota Statutes 1986, section 84B.11, subdivision 1, is amended to read:

Subdivision 1. The governor shall appoint, except for the legislative members, a citizen's council on Voyageurs National Park, consisting of 17 members as follows:

Four residents of Koochiching county;

Four residents of St. Louis county;

Five residents of the state at large from outside Koochiching and St. Louis counties;

Two members of the state senate to be appointed by the committee on committees;

Two members of the state house of representatives to be appointed by the speaker of the house.

The governor shall designate one of the appointees to serve as chair and the committee may elect such other officers as it deems necessary. Members shall be appointed so as to represent differing viewpoints and interest groups on the facilities included in and around the park. Legislator members shall serve for the term of the legislative office to which they were elected. The terms, compensation and removal of nonlegislator members, and expiration of the council shall be as provided in section 15.059. ~~This section is repealed June 30, 1987.~~

Sec. 16. Minnesota Statutes 1986, section 85A.02, subdivision 4, is amended to read:

Subd. 4. The board may appoint an advisory ~~committee~~ task force consisting of persons who are members of zoological societies or who have shown a background or interest in such societies or zoo management or an ability to generate community support for the Minnesota zoological garden. The task force expires as provided in section 15.059, subdivision 6.

Sec. 17. Minnesota Statutes 1986, section 115.54, is amended to read:

115.54 TECHNICAL ADVISORY COMMITTEE.

The agency shall adopt and revise rules governing waste water treatment control under this chapter or chapter 116 only with the advice of a technical advisory committee of nine members. One member of the committee shall be

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selected by each of the following: the state consulting engineers council, the University of Minnesota division of environmental engineering, the state association of general contractors, the state wastewater treatment plant operators association, the metropolitan waste control commission created by section 473.503, the association of metropolitan municipalities, the state association of small cities, and two members from the league of Minnesota cities. The technical advisory committee may review and advise the agency on any rule or technical requirements governing the wastewater treatment grant or loan program and may review the work of other professional persons working on a wastewater treatment project and make recommendations to those persons, the agency, and the concerned municipality, in order for the agency to ensure that water quality treatment standards will be met. The committee shall meet at least once a year, or at the call of the chair, and shall elect its chair. The agency must provide staff support for the committee, prepare committee minutes and provide information to the committee it may request. A quorum is a simple majority and official action must be by a majority vote of the quorum. The committee expires as provided in section 15.059, subdivision 5.

Sec. 18. Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 1, is amended to read:

Subdivision 1. **SOLID AND HAZARDOUS WASTE MANAGEMENT.** The chair of the board shall establish a solid waste management advisory council and a hazardous waste management planning council broadly representative of the geographic areas and interests of the state. The councils shall have not less than nine nor more than 18 members each. The membership of the solid waste council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives from private solid waste management firms. The solid waste council shall contain at least one member experienced in each of the following areas: state and municipal finance; solid waste collection, processing, and disposal; and solid waste reduction and resource recovery. The membership of the hazardous waste advisory council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives of hazardous waste generators and private hazardous waste management firms. The chairs of the advisory councils shall be appointed by the chair of the board. The chair of the board shall provide administrative and staff services for the advisory councils. The advisory councils shall have such duties as are assigned by law or the chair of the board. The solid waste advisory council shall make recommendations to the board on its solid waste management activities. The hazardous waste advisory council shall make recommendations to the board on its activities under sections 115A.08, 115A.09, 115A.10, 115A.11, 115A.20, 115A.21, and 115A.24. Members of the advisory councils shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the chair of the board. The solid waste management advisory council and the hazardous waste management planning council expire as provided in section 15.059, subdivision 5.

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Sec. 19. Minnesota Statutes 1986, section 116C.59, subdivision 1, is amended to read:

Subdivision 1. **ADVISORY COMMITTEE TASK FORCE.** The board ~~shall~~ may appoint one or more advisory ~~committees~~ task forces to assist it in carrying out its duties. ~~Committees~~ Task forces appointed to evaluate sites or routes considered for designation shall be comprised of as many persons as may be designated by the board, but at least one representative from each of the following: Regional development commissions, counties and municipal corporations and one town board member from each county in which a site or route is proposed to be located. No officer, agent or employee of a utility shall serve on an advisory ~~committee~~ task force. Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees. The task forces expire as provided in section 15.059, subdivision 6.

Sec. 20. Minnesota Statutes 1986, section 116C.59, subdivision 2, is amended to read:

Subd. 2. **OTHER PUBLIC PARTICIPATION.** The board shall adopt broad spectrum citizen participation as a principal of operation. The form of public participation shall not be limited to public hearings and advisory ~~committees~~ task forces and shall be consistent with the board's rules and guidelines as provided for in section 116C.66.

Sec. 21. Minnesota Statutes 1986, section 116C.59, subdivision 4, is amended to read:

Subd. 4. **SCIENTIFIC ADVISORY COMMITTEE TASK FORCE.** The board may appoint one or more advisory ~~committee~~ task forces composed of technical and scientific experts to conduct research and make recommendations concerning generic issues such as health and safety, underground routes, double circuiting and long range route and site planning. Reimbursement for expenses incurred shall be made pursuant to the rules governing reimbursement of state employees. The task forces expire as provided in section 15.059, subdivision 6.

Sec. 22. Minnesota Statutes 1986, section 116C.839, is amended to read:

116C.839 ADVISORY COMMITTEE.

An advisory committee is created to consult with and advise the director, the governor, and the legislature on low-level radioactive waste issues. The advisory committee shall consist of three representatives chosen by the speaker of the house; three senators chosen by the senate committee on committees; the director; the commissioner of health; the commissioner of transportation; the commissioner of department of natural resources; and the chair of the environmental quality board. The committee shall elect a chair from among its members. The committee expires on June 30, 1993.

The advisory committee may appoint a technical task force on low-level

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radioactive waste, including but not limited to any members of the public with special expertise in low-level radioactive waste, state agency personnel, and generators representing the medical, industrial, and commercial organizations in the state which ship wastes to regional facilities. The task force expires as provided in section 15.059, subdivision 6.

Sec. 23. Minnesota Statutes 1987 Supplement, section 116J.971, is amended by adding a subdivision to read:

Subd. 10. EXPIRATION. Sections 116J.970 and 116J.971 are repealed June 30, 1993.

Sec. 24. Minnesota Statutes 1987 Supplement, section 120.17, subdivision 11a, is amended to read:

Subd. 11a. **STATE INTERAGENCY COORDINATING COUNCIL.** An interagency coordinating council of 15 members is established. The members and the chair shall be appointed by the governor. The council shall be composed of at least three parents of handicapped children under age seven, a representative of each of the commissioners of education, health, and human services, three representatives of public or private providers of services for handicapped children under age five, one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education, at least one representative of advocacy organizations for handicapped children, and other members knowledgeable about handicapped children under age five. Section 15.059 applies, subdivisions 2 to 5, apply to the council; ~~except that the council is permanent and does not expire.~~ 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 handicapped children 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 handicapped children under age five 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.

It is the joint responsibility of county boards and school districts to coordinate, provide, and pay for appropriate services, and to facilitate payment for services from public and private sources. Appropriate services must be determined in consultation with parents, physicians, and other educational, medical, health, and human services providers. Appropriate services include family education and counseling, home visits, occupational and physical therapy, speech

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pathology, audiology, psychological services, case management, medical services for diagnostic and evaluation purposes, early identification, and screening, assessment, and health services necessary to enable handicapped children to benefit from early intervention services. School districts must be the primary agency in this cooperative effort.

Each year by January 15 the council shall submit its recommendations to the education committees of the legislature, the governor, and the commissioners of education, health, and human services.

Sec. 25. Minnesota Statutes 1986, section 121.83, is amended to read:

121.83 MINNESOTA EDUCATION COUNCIL.

There is hereby established the Minnesota education council composed of the members of the education commission of the states representing this state, and two other persons from each congressional district of which one shall be a legislator. Four representatives shall be appointed by the speaker of the house and four senators shall be appointed by the committee on committees. Legislative members shall serve terms coinciding with their respective terms of office. The commissioner of education shall appoint one member from each congressional district, for terms coinciding with the term of the commissioner, who broadly represent professional and lay interests within this state having the responsibilities for, knowledge with respect to, and interest in educational matters. The commissioner shall designate a chair from among the council members. The council shall meet on the call of the commissioner, but in any event the council shall meet not less than twice in each year. The council may consider any and all matters relating to recommendations of the education commission of the states and the activities of the members representing this state thereon, shall serve as a forum for major education policies, and shall serve to exchange information about important education activities of interest to all parties. Members of the council shall serve without salary, but shall be reimbursed for actual expenses incurred in attendance at meetings of the council. The council expires as provided in section 15.059, subdivision 5.

Sec. 26. Minnesota Statutes 1987 Supplement, section 121.934, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** An advisory council to the state board appointed by the governor is established. Section 15.059, subdivisions 2, 4, and 5, shall govern membership terms, removal of members, expiration, and filling of membership vacancies.

Sec. 27. Minnesota Statutes 1987 Supplement, section 123.935, subdivision 7, is amended to read:

Subd. 7. **NONPUBLIC EDUCATION COUNCIL.** The commissioner shall appoint a 15-member council on nonpublic education. The 15 members shall represent various areas of the state, represent various methods of providing

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nonpublic education, and shall be knowledgeable about nonpublic education. The compensation, removal of members, filling of vacancies, and terms are governed by section 15.0575. The council expires as provided in section 15.059, subdivision 5. The council shall advise the commissioner and the state board on nonpublic school matters under this section. The council may recognize educational accrediting agencies, for the sole purpose of sections 120.101, 120.102, and 120.103. When requested by the commissioner or the state board, the council may submit its advice about other nonpublic school matters.

Sec. 28. Minnesota Statutes 1986, 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 the date provided in section 15.059, subdivision 5. 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. 29. Minnesota Statutes 1986, 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 coordinating board in planning, implementing, and evaluating the scholarship program. The committee shall consist of 11 members, to include the executive director of the higher education coordinating board or a representative, the commissioner of education or a representative, two secondary school administrators and two secondary teachers appointed by the commissioner of education, 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 appointed by the community college chancellor, a state university representative appointed by the state university chancellor, and a University of Minnesota representative appointed by the president of the University of Minnesota. The committee expires as provided in section 15.059, subdivision 5.

Sec. 30. Minnesota Statutes 1987 Supplement, section 126.665, is amended to read:

126.665 STATE CURRICULUM ADVISORY COMMITTEE.

The commissioner shall appoint a state curriculum advisory committee of 11 members to advise the state board and the department on the PER process. Nine members shall be from each of the educational cooperative service units

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and two members shall be at-large. The committee shall include representatives from the state board of education, parents, teachers, administrators, and school board members. Each member shall be a present or past member of a district curriculum advisory committee. The state committee shall provide information and recommendations about at least the following:

- (1) department procedures for reviewing and approving reports and disseminating information;
- (2) exemplary PER processes;
- (3) recommendations for improving the PER process and reports; and
- (4) developing a continuous process for identifying and attaining essential learner outcomes.

By February 1 of each year, the commissioner, in cooperation with the state curriculum advisory committee, shall prepare a report for the education committees of the legislature. The report shall include the recommendations of the state curriculum advisory committee. The committee expires as provided in section 15.059, subdivision 5.

Sec. 31. Minnesota Statutes 1986, section 128A.03, subdivision 3, is amended to read:

Subd. 3. The terms, compensation and removal of council members, and expiration of the council shall be as provided in section 15.059, subdivisions 2, 3, and 4, and 5. ~~The council shall not expire.~~

Sec. 32. Minnesota Statutes 1987 Supplement, section 129C.10, subdivision 3, is amended to read:

Subd. 3. **POWERS AND DUTIES OF BOARD.** (a) The board has the powers necessary for the care, management, and control of the Minnesota school and resource center for the arts and all its real and personal property. The powers shall include, but are not limited to, those listed in this subdivision.

(b) The board may employ and discharge necessary employees, and contract for other services to ensure the efficient operation of the school and resource center.

(c) The board may establish a charitable foundation and accept, in trust or otherwise, any gift, grant, bequest, or devise for educational purposes and hold, manage, invest, and dispose of them and the proceeds and income of them according to the terms and conditions of the gift, grant, bequest, or devise and its acceptance.

(d) The board may establish or coordinate evening, continuing education, extension, and summer programs through the resource center for teachers and pupils.

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(e) The board may identify pupils in grades 9 to 12 who have artistic talent, either demonstrated or potential, in dance, literary arts, media arts, music, theater, and visual arts, or in more than one art form.

(f) The board shall educate pupils with artistic talent by providing:

(1) a pilot interdisciplinary academic and arts program for pupils in the 11th and 12th grades, beginning with 135 pupils in the 11th grade in September 1989, and 135 pupils in the 11th grade and 135 pupils in the 12th grade in September 1990;

(2) intensive arts seminars for one or two weeks for ninth and tenth grade pupils;

(3) summer arts institutes for pupils in grades nine to 12;

(4) artist mentor and extension programs in regional sites; and

(5) teacher education programs for indirect curriculum delivery.

(g) The board may determine the location for the Minnesota school and resource center for the arts and any additional facilities related to the school, including the authority to lease a temporary facility.

(h) The board must plan for the enrollment of pupils on an equal basis from each congressional district.

(i) The board may establish ~~advisory committees~~ task forces as needed to advise the board on policies and issues. The task forces expire as provided in section 15.059, subdivision 6.

(j) The board may request the commissioner of education for assistance and services.

(k) The board may enter into contracts with other public and private agencies and institutions for residential and building maintenance services if it determines that these services could be provided more efficiently and less expensively by a contractor than by the board itself. The board may also enter into contracts with public or private agencies and institutions, school districts or combinations of school districts, or educational cooperative service units to provide supplemental educational instruction and services.

(l) The board may provide or contract for services and programs by and for the arts high school, including a school store, operating in connection with the school; theatrical events; and other programs and services that, in the determination of the board, serve the purposes of the arts high school.

(m) The board may provide for transportation of pupils to and from the school and resource center for the arts for all or part of the school year, as the board considers advisable and subject to its rules. Notwithstanding any other

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law to the contrary, the board may charge a reasonable fee for transportation of pupils. Every driver providing transportation of pupils under this paragraph must possess all qualifications required by the state board of education. The board may contract for furnishing authorized transportation under rules established by the commissioner of education and may purchase and furnish gasoline to a contract carrier for use in the performance of a contract with the board for transportation of pupils to and from the school and resource center for the arts. When transportation is provided, scheduling of routes, establishment of the location of bus stops, the manner and method of transportation, the control and discipline of pupils, and any other related matter is within the sole discretion, control, and management of the board.

(n) The board may provide room and board for its pupils.

(o) The board may establish and set fees for services and programs without regard to chapter 14. If the board sets fees not authorized or prohibited by the Minnesota public school fee law, it may do so without complying with the requirements of section 120.75, subdivision 1.

Sec. 33. Minnesota Statutes 1986, section 135A.05, is amended to read:

135A.05 TASK FORCE.

The executive director of the Minnesota higher education coordinating board shall administer a task force on average cost funding. The task force shall include representation from each of the public systems of post-secondary education, post-secondary students, the education division of the house appropriations committee, the education subcommittee of the senate finance committee, the office of the commissioner of finance, the office of state auditor, and the uniform financial accounting and reporting advisory council. The task force shall be convened and chaired by the executive director or a designee and staffed by the higher education coordinating board. The task force shall review and make recommendations on the definition of instructional cost in all four systems, the method of calculating average cost for funding purposes, the method used to assign programs to the proper level of cost at each level of instruction, the adequacy of the accounting data for defining instructional cost in a uniform manner, and the biennial budget format to be used by the four systems in submitting their biennial budget requests. The task force shall submit a report on these matters to the legislature by December 1 of each odd-numbered year. The task force expires as provided in section 15.059, subdivision 6.

Sec. 34. Minnesota Statutes 1987 Supplement, section 136A.02, subdivision 6, is amended to read:

Subd. 6. A higher education advisory council is established. The council is composed of the president of the University of Minnesota, the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, the commissioner of education, the president of the private college council, and a representative from the Minnesota association

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of private post-secondary schools. The advisory council shall (1) bring to the attention of the board any matters that the council deems necessary, (2) make appropriate recommendations, (3) review and comment upon proposals and other matters before the board, and (4) provide other assistance to the board. The board shall periodically inform the council of matters under consideration by the board. The board shall refer all proposals to the council before submitting recommendations to the governor and the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The council shall report to the board at least quarterly. The council shall determine its meeting times, but it shall also meet within 30 days after a request by the executive director of the board. The council expires as provided in section 15.059, subdivision 5.

Sec. 35. Minnesota Statutes 1986, section 136A.02, subdivision 7, is amended to read:

Subd. 7. **STUDENT ADVISORY COUNCIL.** A student advisory council to the board is established. The members of the council shall include the chair of the University of Minnesota university student senate, the state chair of the Minnesota state university student association, the president of the Minnesota community college student association, the president of the Minnesota vocational technical student association, the president of the Minnesota association of private college students, and a student who is enrolled in a private vocational school registered under this chapter, to be appointed by the Minnesota association of private post-secondary schools. A member may be represented by a designee.

The advisory council shall:

- (1) bring to the attention of the board any matter that the council believes needs the attention of the board,
- (2) make recommendations to the board as the council deems appropriate,
- (3) review and comment upon proposals and other matters before the board,
- (4) provide any reasonable assistance to the board, and
- (5) select one of its members to serve as chair and as a nonvoting member of the board. The board shall inform the council of all matters under consideration by the board and shall refer all proposals to the council before the board acts or sends the proposals to the governor or the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The student advisory council shall report to the board quarterly and at other times that the council considers desirable. The council shall determine its meeting time, but the council shall also meet with the executive director of the

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board within 30 days after the director's request for a council meeting. The student advisory council shall meet quarterly with the higher education advisory council and the board executive committee. The council expires as provided in section 15.059, subdivision 5.

Sec. 36. Minnesota Statutes 1986, section 138.97, subdivision 3, is amended to read:

Subd. 3. **GOVERNANCE.** The center shall be developed during its planning phase under the guidance of a labor interpretative task force whose chair is appointed by the governor. The chair shall select the members of the task force. The task force shall complete its work within 18 months of August 1, 1986. The task force shall dissolve after the 18 months or when its work is completed, whichever is sooner. An advisory council shall be appointed by the director of the Minnesota historical society after the dissolution of the task force to assist the director with the operation of the center. The council expires as provided in section 15.059, subdivision 5.

Sec. 37. Minnesota Statutes 1987 Supplement, 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

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(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.

Sec. 38. Minnesota Statutes 1986, section 162.02, subdivision 2, is amended to read:

Subd. 2. **RULES.** The rules shall be made and promulgated by the commissioner acting with the advice of a committee which shall be selected by the several county boards acting through the officers of the statewide association of county commissioners. The committee shall be composed of nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of the committee shall be county commissioners. The remaining members shall be county highway engineers. The committee expires as provided in section 15.059, subdivision 5. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies thereof shall be forwarded to the county auditors and the county engineers of the several counties.

Sec. 39. Minnesota Statutes 1986, section 162.09, subdivision 2, is amended to read:

Subd. 2. **RULES.** The rules shall be made and promulgated by the commissioner acting with the advice of a committee which shall be selected by the governing bodies of such cities, acting through the officers of the statewide association of municipal officials. The committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of the committee shall be elected officials of the cities. The remaining members of the committee shall be city engineers. The committee expires as provided in section 15.059, subdivision 5. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies thereof shall be forwarded to the clerks and engineers of the cities.

Sec. 40. Minnesota Statutes 1986, section 174.031, subdivision 2, is amended to read:

Subd. 2. **STUDY GUIDELINES.** (a) The commissioner shall establish guidelines for the studies. The guidelines must require that recommended jurisdictional changes in each study be based on functional classification as modified by other factors, which must include: level and type of commodities moved, service to economic centers, load-bearing capacity, service to state and local institutions, tourism function, constitutional status, and other factors the commissioner deems necessary. The guidelines must provide criteria for estimating the changes in financial obligations that will accompany each transfer of mileage under the jurisdiction proposals produced by the studies. The guidelines must include requirements for extensive consultation by the entities performing the

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studies with officials of affected counties, cities, and towns and requirements for public hearings on the completed jurisdiction proposals resulting from the studies. The guidelines are not subject to the administrative procedure act and must be completed by July 30, 1985.

(b) To assist in formulating the guidelines, the commissioner shall appoint an advisory committee, to serve without compensation and to represent county, city, and town governments. The committee expires as provided in section 15.059, subdivision 5.

Sec. 41. Minnesota Statutes 1987 Supplement, section 175.007, subdivision 1, is amended to read:

Subdivision 1. The commissioner shall appoint an advisory council on workers' compensation, which consists of five representatives of employers and five representatives of employees; five nonvoting members representing the general public; two persons who have received or are currently receiving workers' compensation benefits under chapter 176 and the chairs of the rehabilitation review panel and the medical services review board. The council may consult with any party it desires. The terms and removal of members shall be as provided in section 15.059. ~~The council is not subject to~~ expires as provided in section 15.059, subdivision 5.

Sec. 42. Minnesota Statutes 1986, 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, ~~and removal of council members is,~~ and expiration of the council are governed by section 15.059. ~~The council shall not expire as provided by section 15.059.~~ The council shall advise the commissioner on matters within the council's expertise or under the regulation of the commissioner.

Sec. 43. Minnesota Statutes 1986, section 182.653, subdivision 4e, is amended to read:

Subd. 4e. Each employer who is engaged in a farming operation and employs more than ten employees or who is engaged in a farming operation and maintains a temporary labor camp and employs any of its residents, shall comply with a training program, developed by the commissioner, concerning the hazardous substances and harmful physical agents to which the employees are routinely exposed. The commissioner shall develop this training program in consultation with experts in agricultural work environment hazards ~~and an advisory task force appointed by the commissioner, consisting of three representatives of agricultural employers and three representatives of agricultural employees.~~ The program shall be designed to fulfill the same purposes as training under subdivisions 4b and 4c, but take into account factors unique to farming operations. These factors shall include but not be limited to the fact that many

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agricultural employees' primary language is Spanish and the fact that many chemicals used by agricultural employers are labeled under the Federal Insecticide, Fungicide, and Rodenticide Act. The commissioner shall complete implementation of this program by March 1, 1986.

Sec. 44. Minnesota Statutes 1986, section 214.141, is amended to read:

214.141 ADVISORY COUNCIL; MEMBERSHIP.

There is established a human services occupations advisory council to assist the commissioner of health in formulating policies and rules pursuant to section 214.13. The commissioner shall determine the council's duties and shall establish procedures for its proper functioning, including, but not limited to, methods for selecting temporary members and methods of communicating recommendations and advice to the commissioner for consideration. The council shall consist of no more than 15 members. Thirteen members shall be appointed by the commissioner, one of whom the commissioner shall designate as chair. The members shall be selected as follows: four members shall represent currently licensed or registered human services occupations; two members shall represent human services occupations which are not currently registered; two members shall represent licensed health care facilities, which can include a health maintenance organization as defined in section 62D.02; one member shall represent the higher education coordinating board; one member shall represent the state planning agency; one member shall represent a third party payor to health care costs; and two members shall be public members as defined by section 214.02.

In cases in which the council has been charged by the commissioner to evaluate an application submitted under the provisions of section 214.13, the commissioner may appoint to the council as temporary voting members, for the purpose of evaluating that application alone, one or two representatives from among the appropriate licensed or registered human services occupations or from among the state agencies that have been identified under section 214.13, subdivision 2. In determining whether a temporary voting member or members should be appointed and which human services occupations or state agencies should be represented by temporary voting members, the commissioner shall attempt to systematically involve those who would be most directly affected by a decision to credential a particular applicant group and who are not already represented on the council. The terms of temporary voting members shall not exceed 12 months. The terms of the other council members, ~~and~~ the compensation and removal of all members, and the expiration of the council shall be as provided in section 15.059.

Sec. 45. Minnesota Statutes 1987 Supplement, 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 25 members appointed by the governor in accordance with federal requirements. The council must be composed of:

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- (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.

Terms, compensation, and removal of members and filling of vacancies are governed by section 15.059, except that members shall not receive a per diem. The council ~~does not expire~~ expires as provided in section 15.059.

Sec. 46. Minnesota Statutes 1987 Supplement, section 245.97, subdivision 6, is amended to read:

Subd. 6. **TERMS, COMPENSATION, AND REMOVAL AND EXPIRATION.** The membership terms, compensation, and removal of members of the committee and the filling of membership vacancies are governed by section 15.0575. The ombudsman committee and the medical review subcommittee expire on June 30, 1993.

Sec. 47. Minnesota Statutes 1987 Supplement, section 246.56, subdivision 2, is amended to read:

Subd. 2. **POWERS OF COMMISSIONER.** The work activity programs authorized herein shall be planned and designed exclusively to provide therapeutic activities for handicapped workers whose physical or mental impairment is so severe as to make productive capacity inconsequential. Notwithstanding section 177.24, the activities within this program shall conform to the rules and regulations relating to work activity centers promulgated by the United States

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Department of Labor. To accomplish the foregoing purpose the commissioner of human services shall have the power and authority to:

(a) use the diversified labor fund established by Laws 1945, chapter 575, section 19, to purchase equipment and remodel facilities of the state hospitals referred to in subdivision 1 to initiate the work activity program,

(b) formulate a system of records and accounts which shall at all times indicate the extent of purchases, sales, wages, and bidding practices and which shall be open to public inspection.

The commissioner of human services shall, subject to the approval of the commissioner of education, have the power and authority to:

(a) create a work activity center revolving fund for the purpose of receiving and expending money in the operation of the said programs,

(b) contract with public and private industries for the manufacture, repair, or assembling of work according to standard bidding practices,

(c) use the revenue from the operation of said programs to pay wages to patients or residents according to their productivity, purchase equipment and supplies and pay other expenses necessary to the operation of the said programs,

(d) establish an advisory ~~committee~~ task force consisting of representatives from the departments of health, jobs and training, and human services, labor and business groups, interested community agencies, including but not limited to the Minnesota association of rehabilitation facilities, the Minnesota association for retarded children, and the Minnesota association for mental health, and the general public. This ~~committee~~ task force will act in an advisory capacity with respect to the scope of work activity programs, the nature of the goods to be produced and services to be performed in such programs. The task force expires as provided in section 15.059, subdivision 5.

(e) utilize all available vocational rehabilitation services and encourage the integration of the work activity program into existing vocational rehabilitation and community based programs, so that the work activity program will neither duplicate nor unfairly compete with existing public or private community programs.

Sec. 48. Minnesota Statutes 1986, section 248.10, subdivision 2, is amended to read:

Subd. 2. **REMOVAL; VACANCIES; EXPIRATION.** The compensation, removal of members, and filling of vacancies on the council are as provided in section 15.0575. The council expires on June 30, 1993.

Sec. 49. Minnesota Statutes 1986, section 254A.035, subdivision 2, is amended to read:

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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 and expiration of the council shall be as provided in section 15.059.

Sec. 50. Minnesota Statutes 1987 Supplement, section 256.482, subdivision 1, is amended to read:

Subdivision 1. **ESTABLISHMENT; MEMBERS.** There is hereby established the council on disability which shall consist of 21 members appointed by the governor. Members shall be appointed from the general public and from organizations which provide services for persons who have a disability. A majority of council members shall be persons with a disability or parents or guardians of persons with a disability. There shall be at least one member of the council appointed from each of the state development regions. The commissioners of the departments of education, human services, health, jobs and training, and human rights and the directors of the division of rehabilitation services and state services for the blind or their designees shall serve as ex officio members of the council without vote. In addition, the council may appoint ex officio members from other bureaus, divisions, or sections of state departments which are directly concerned with the provision of services to persons with a disability.

Notwithstanding the provisions of section 15.059, each member of the council appointed by the governor shall serve a three-year term and until a successor is appointed and qualified. The compensation and removal of all members shall be as provided in section 15.059. The governor shall appoint a chair of the council from among the members appointed from the general public or who are persons with a disability or their parents or guardians. Vacancies shall be filled by the appointing authority for the remainder of the unexpired term. The council ~~shall not expire~~ expires as provided in section 15.059 on June 30, 1993.

Sec. 51. Minnesota Statutes 1987 Supplement, section 256.73, subdivision 7, is amended to read:

Subd. 7. **VERIFICATION PROCEDURES.** The commissioner shall form an advisory committee of local agency representatives, state officials, and recipients to recommend and implement ways to reduce verification procedures at the

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local level. The goal of this effort is to treat clients with dignity and expect client honesty. Verification procedures should be reduced to a minimum at the time of application and increased only as needed. The committee expires as provided in section 15.059, subdivision 5.

Sec. 52. Minnesota Statutes 1987 Supplement, section 256B.064, subdivision 1a, is amended to read:

Subd. 1a. **GROUND FOR MONETARY RECOVERY AND SANCTIONS AGAINST VENDORS.** The commissioner may seek monetary recovery and impose sanctions against vendors of medical care for any of the following: fraud, theft, or abuse in connection with the provision of medical care to recipients of public assistance; a pattern of presentment of false or duplicate claims or claims for services not medically necessary; a pattern of making false statements of material facts for the purpose of obtaining greater compensation than that to which the vendor is legally entitled; suspension or termination as a Medicare vendor; and refusal to grant the state agency access during regular business hours to examine all records necessary to disclose the extent of services provided to program recipients. The determination of services not medically necessary shall may be made by the commissioner in consultation with a peer advisory ~~committee~~ task force appointed by the commissioner on the recommendation of appropriate professional organizations. The task force expires as provided in section 15.059, subdivision 5.

Sec. 53. Minnesota Statutes 1987 Supplement, section 256B.27, subdivision 3, is amended to read:

Subd. 3. The commissioner of human services, with the written consent of the recipient, on file with the local welfare agency, shall be allowed access to all personal medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care has submitted a claim for reimbursement, a cost report or a rate application which is duplicative, erroneous, or false in whole or in part, or which results in the vendor obtaining greater compensation than the vendor is legally entitled to; or (b) the medical care was medically necessary. The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records. The determination of provision of services not medically necessary shall be made by the commissioner ~~in consultation.~~ The commissioner may consult with an advisory ~~committee~~ task force of vendors ~~as appointed by the commissioner~~ may appoint, on the recommendation of appropriate professional organizations. The task force expires as provided in section 15.059, subdivision 6. Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of human services pursuant to this section.

Sec. 54. Minnesota Statutes 1987 Supplement, section 256B.433, subdivision 1, is amended to read:

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Subdivision 1. **SETTING PAYMENT; MONITORING USE OF THERAPY SERVICES.** The commissioner shall promulgate rules pursuant to the administrative procedure act to set the amount and method of payment for ancillary materials and services provided to recipients residing in nursing homes. Payment for materials and services may be made to either the nursing home in the operating cost per diem, to the vendor of ancillary services pursuant to Minnesota Rules, parts 9500.0750 to 9500.1080 or to a nursing home pursuant to Minnesota Rules, parts 9500.0750 to 9500.1080. Payment for the same or similar service to a recipient shall not be made to both the nursing home and the vendor. The commissioner shall ensure the avoidance of double payments through audits and adjustments to the nursing home's annual cost report as required by section 256B.47, and that charges and arrangements for ancillary materials and services are cost effective and as would be incurred by a prudent and cost-conscious buyer. Therapy services provided to a recipient must be medically necessary and appropriate to the medical condition of the recipient. If the vendor, nursing home, or ordering physician cannot provide adequate medical necessity justification, as determined by the commissioner, in consultation with an advisory ~~committee~~ task force that meets the requirements of section 256B.064, subdivision 1a, the commissioner may recover or disallow the payment for the services and may require prior authorization for therapy services as a condition of payment or may impose administrative sanctions to limit the vendor, nursing home, or ordering physician's participation in the medical assistance program.

Sec. 55. Minnesota Statutes 1987 Supplement, section 256B.433, subdivision 4, is amended to read:

Subd. 4. **ADVISORY COMMITTEE.** The commissioner shall convene an advisory ~~committee~~ task force consisting of nursing home consumers, therapists from each discipline, and representatives of the nursing home industry. The commissioner, in consultation with the advisory committee, shall study alternative methods of payment for therapy services provided to nursing home residents and report to the legislature by February 1, 1989. The task force expires as provided in section 15.059, subdivision 6.

Sec. 56. Minnesota Statutes 1986, section 256C.28, subdivision 2, is amended to read:

Subd. 2. **REMOVAL; VACANCIES; EXPIRATION.** The compensation, removal of members, and filling of vacancies on the council are as provided in section 15.0575. The council expires as provided in section 15.059, subdivision 5.

Sec. 57. Minnesota Statutes 1987 Supplement, section 299A.23, subdivision 2, is amended to read:

Subd. 2. **ADVISORY COUNCIL.** An advisory council of 15 members is established under section 15.059. The commissioners of human services, health, education, and corrections shall each appoint one member. The subcommittee

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on committees of the senate and the speaker of the house of representatives shall each appoint two members of their respective bodies, one from each caucus. The governor shall appoint an additional seven members who shall demonstrate knowledge in the area of child abuse and shall represent the demographic and geographic composition of the state, and to the extent possible, represent the following groups: local government, parents, racial and ethnic minority communities, the religious community, professional providers of child abuse prevention and treatment services, and volunteers in child abuse prevention and treatment services. The council shall advise and assist the commissioner in carrying out sections 299A.20 to 299A.26. The council ~~does not expire~~ expires as provided by section 15.059, subdivision 5.

Sec. 58. Minnesota Statutes 1986, section 299F.097, is amended to read:

299F.097 HAZARDOUS SUBSTANCE NOTIFICATION ADVISORY COMMITTEE.

The hazardous substance notification advisory committee is created. The committee shall consist of 11 members to be appointed by the commissioner of public safety to advise on the development of rules to implement and enforce sections 299F.091 to 299F.099 and to assist in the development of amendments to the hazardous substance notification report. The advisory committee shall consist of representation from fire chiefs; professional firefighters; volunteer firefighters; fire marshals; law enforcement personnel; emergency medical personnel; an independent health professional with training in toxicology; and four representatives from business and industry, at least one of whom shall represent small business. The committee must be appointed, serve, expire, and be compensated in the manner provided in section 15.059, and shall serve at the pleasure of the commissioner.

Sec. 59. Minnesota Statutes 1987 Supplement, section 299J.06, subdivision 4, is amended to read:

Subd. 4. **TERMS; COMPENSATION; REMOVAL.** The terms, compensation, and removal of members are governed by section 15.0575. The council expires on June 30, 1993.

Sec. 60. Minnesota Statutes 1986, section 611A.34, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** Within 60 days after the effective date of sections 611A.31 to 611A.36, the commissioner shall appoint a nine member advisory council to advise the commissioner on the implementation of sections 611A.31 to 611A.36. The provisions of section 15.059 shall govern the terms ~~and~~, removal of members, and expiration of the advisory council. Notwithstanding section 15.059, the council shall not expire. Council members shall not receive per diem, but shall receive expenses in the same manner and amount as state employees.

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Sec. 61. Minnesota Statutes 1986, section 611A.71, is amended by adding a subdivision to read:

Subd. 7. EXPIRATION. The council expires as provided in section 15.059, subdivision 5.

Sec. 62. **TASK FORCE ON GENETICALLY ENGINEERED ORGANISMS.**

Subdivision 1. TASK FORCE MEMBERSHIP. The environmental quality board shall appoint a task force on genetically engineered organisms with membership consisting of:

(1) two representatives of the scientific community who have expertise in the techniques and applications of genetic engineering and one representative of the biotechnological industry;

(2) a representative of the department of health whose work involves expertise in environmental health issues;

(3) a representative of the department of agriculture whose work involves expertise in animal health or pesticide issues;

(4) a representative of the pollution control agency;

(5) a representative of the department of natural resources;

(6) a representative of the department of trade and economic development;

(7) a member of the environmental quality board;

(8) a person who has a background in environmental protection;

(9) a representative of a farming organization who has a background in agriculture;

(10) a representative of a food organization who has a background in nutrition;

(11) a person with demonstrated expertise in microbiology;

(12) a person with demonstrated expertise in epidemiology; and

(13) a person with demonstrated expertise in biological sciences.

The members shall serve without compensation.

Subd. 2. CHAIR. The environmental quality board shall appoint the chair of the task force, who is responsible for convening meetings of the task force.

Subd. 3. STAFF. The board must provide administrative and staff assistance to the task force upon request.

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Sec. 63. POWERS AND DUTIES.**Subdivision 1. STUDY ISSUES. The task force shall study:**

(1) existing United States; international, including Canada, Germany, and Japan; other state and Minnesota laws and regulations governing the release of genetically engineered organisms to determine their adequacy in governing the release of genetically engineered organisms;

(2) whether additional state laws or local government regulations are necessary to govern the release of genetically engineered organisms; and

(3) any additional issues surrounding the release of genetically engineered organisms that the task force believes are necessary to address.

Subd. 2. REPORT. The task force shall issue a report with recommendations, including any recommendations for legislation, to the governor and the legislature by January 1, 1989. Copies of the report must be available to the general public.

Sec. 64. REPEALERS.

Minnesota Statutes 1986, sections 116J.04; 160.80, subdivision 6; 177.28, subdivision 2; and 326.66 are repealed. Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 2, is repealed. Sections 62 and 63 are repealed July 1, 1989.

Sec. 65. EFFECTIVE DATE.

Sections 1 to 61 and 64 are effective June 30, 1988. Sections 62 and 63 are effective the day following final enactment.

Approved April 24, 1988

CHAPTER 630—S.F.No. 2266

An act relating to child abuse; providing for the development of a training program for child protection workers; authorizing counties to establish pilot programs; allowing the appointment of a child intermediary in certain criminal child abuse proceedings; prescribing powers and duties of the intermediary; amending Minnesota Statutes 1986, section 626.559, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Section 1. Minnesota Statutes 1986, section 626.559, is amended by adding a subdivision to read:

Subd. 1a. CHILD PROTECTION WORKER PRESERVICE EDUCA-

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