

CHAPTER 84—S.F.No. 1706

An act relating to education; allowing public elementary and secondary school students to possess and use asthma medications; amending Minnesota Statutes 2000, section 121A.22, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

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

Section 1. Minnesota Statutes 2000, section 121A.22, subdivision 2, is amended to read:

Subd. 2. **EXCLUSIONS.** In addition, this section does not apply to drugs or medicine:

- (1) that can be purchased without a prescription;
- (2) that are used by a pupil who is 18 years old or older;
- (3) that are used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
- (4) that are used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- (5) that are used off the school grounds;
- (6) that are used in connection with athletics or extra curricular activities;
- (7) that are used in connection with activities that occur before or after the regular school day; or
- (8) that are provided or administered by a public health agency in order to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12; or
- (9) that are prescription asthma or reactive airway disease medications self-administered by a pupil with an asthma inhaler if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, the inhaler is properly labeled for that student, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year.

Sec. 2. [121A.221] POSSESSION AND USE OF ASTHMA INHALERS BY ASTHMATIC STUDENTS.

(a) In a school district that employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

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

(b) In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional that documents an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

Presented to the governor May 8, 2001

Signed by the governor May 10, 2001, 2:53 p.m.

CHAPTER 85—S.F.No. 511

An act relating to the state agricultural society; authorizing establishment of a nonprofit corporation; changing certain membership provisions; amending Minnesota Statutes 2000, section 37.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 37.

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

Section 1. Minnesota Statutes 2000, section 37.03, subdivision 1, is amended to read:

Subdivision 1. **MEMBERS.** Members of the state agricultural society must be citizens of this state. The membership is as follows:

(a) Three delegates chosen annually by each agricultural society or association in the state which maintains an active existence, holds annual fairs, and is entitled to share in the state appropriation under the provisions of section 38.02. If one of those societies or associations fails to choose delegates, then its president, secretary, and treasurer, by virtue of their offices, are its delegates. If two fairs receiving state aid are operating in one county, each delegate from each society or association is entitled to one-half vote at regular or special meetings of the state society.

(b) One delegate appointed by the county board of each county in which no county or district agricultural society exists.

(c) Individuals elected by the society as honorary members for having performed eminent services in agriculture, horticulture, or related arts and sciences or long and faithful service in or benefits to the society. Honorary members must be elected by two-thirds vote at any annual meeting. The number of honorary members may not exceed the society's membership and only one honorary member may be elected annually. Each honorary member is entitled to one vote.

(d) Two elected delegates and the president may represent each of the following societies and associations: Red River Valley Winter Shows, the Minnesota State Horticultural Society, the State Dairyman's Association, the Minnesota Dairy Goat Association, the Minnesota Honey Producers Association, Inc., the Minnesota Livestock Breeders' Association, the Minnesota Crop Improvement Association, the Minnesota Pork Producers Association, the Minnesota Lamb and Wool Producers

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