

Sec. 18. REPEALER.

Section 16 is repealed, effective July 1, 1985.

Sec. 19. EFFECTIVE DATE.

Section 13, subdivisions 1 and 2, are effective July 1, 1984. The remainder of this act is effective the day following final enactment.

Approved March 22, 1982

CHAPTER 513 — S.F.No. 1508

An act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

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

Section 1. - [196.19] SHORT TITLE.

Sections 1 to 8 may be cited as the "Agent Orange Information and Assistance Act".

Sec. 2. [196.20] PURPOSE.

A large number of Vietnam era veterans were exposed to dioxin or other toxic substances found in certain defoliants, herbicides, pesticides, and similar chemical substances while serving in the armed forces of the United States. It is a legitimate concern and responsibility of the state to provide information, referral, and counseling services to those veterans who may have suffered adverse health conditions as a result of possible exposure to these chemical agents.

Sec. 3. [196.21] DEFINITIONS.

Subdivision 1. TERMS DEFINED. For the purposes of sections 1 to 8 the following terms have the meanings given them.

Subd. 2. VETERAN. "Veteran" means a person who is a resident of this state and who served in the armed forces of the United States of America during the Vietnam era.

Subd. 3. CHEMICAL AGENTS. "Chemical agents" means dioxin or other toxic substances found in certain defoliants, herbicides, pesticides, and similar chemical substances.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. AGENT ORANGE. "Agent Orange" means a herbicide containing dioxin and composed primarily of trichlorophenoxyacetic acid and dichlorophenoxyacetic acid.

Subd. 5. COMMISSIONER. "Commissioner" means the commissioner of veterans affairs.

Sec. 4. [196.22] POWERS AND DUTIES OF THE COMMISSIONER.

Subdivision 1. AGENT ORANGE INFORMATION PROGRAM. The commissioner shall establish and maintain an Agent Orange information program. The commissioner shall:

(1) provide information regarding epidemiological, genetic, and other scientific studies proposed, underway, or completed that pertain to adverse health conditions which may be associated with exposure to chemical agents, including Agent Orange;

(2) monitor and report on the activities and policies of the United States government relating to the exposure of veterans to chemical agents, including Agent Orange; and

(3) respond, within his powers and duties under chapters 196 and 197, to other issues of concern to veterans relating to exposure to chemical agents, including Agent Orange.

Subd. 2. REFERRAL PROGRAMS. The commissioner, in cooperation with the United States Veterans Administration, county veterans service officers, and veterans organizations shall institute referral programs to:

(1) refer veterans to appropriate federal agencies or other available resources for treatment of adverse health conditions which may have resulted from possible exposure to chemical agents, including Agent Orange; and

(2) refer veterans to state, county, or veterans organizations advocacy services to assist them in filing compensation claims for disabilities that may have resulted from possible exposure to chemical agents, including Agent Orange.

Subd. 3. LIMITED STUDIES. The commissioner may contract for limited studies regarding the prevalence of adverse health conditions in veterans which may be associated with possible exposure to chemical agents, including Agent Orange. Prior to contracting for such studies, the commissioner shall consult with the commissioner of health, the University of Minnesota school of public health, and other appropriate scientific and technical advisors pertaining to their design.

Subd. 4. ANNUAL REPORT. The commissioner shall prepare an annual report to be distributed annually to members of the standing committees of the legislature having jurisdiction over veterans affairs, the administrator of the

United States Veterans Administration, and appropriate veterans organizations. The report shall contain:

(1) a comprehensive review and summary analysis of the scientific literature covering current research findings on the effects of exposure to chemical agents, including Agent Orange;

(2) a summary of the activities undertaken by the commissioner to inform and assist veterans who may have been exposed to chemical agents, including Agent Orange;

(3) a description and interpretation of the results of any limited studies undertaken pursuant to subdivision 3; and

(4) any comments or recommendations as the commissioner may consider appropriate.

Subd. 5. COMMUNICATION OF VETERANS CONCERNS. Within his powers and duties under chapters 196 and 197, the commissioner shall take any action appropriate to represent the concerns of veterans related to exposure to chemical agents, including Agent Orange, to appropriate officials and representatives of the United States government.

Sec. 5. [196.23] AGENT ORANGE INFORMATION AND ASSISTANCE SECTION.

Subdivision 1. ESTABLISHMENT OF SECTION. The commissioner shall establish an Agent Orange information and assistance section in the department of veterans affairs. The section shall be headed by a director who shall serve in the unclassified service. The commissioner shall provide the director with office space, administrative services, and clerical support.

Subd. 2. POSITION OF DIRECTOR. The director shall be appointed by the commissioner. The director shall assist the commissioner in carrying out the duties and responsibilities required under sections 1 to 8. The commissioner of employee relations, in consultation with the commissioner, shall establish minimum qualifications for the position of director. In setting the minimum qualifications, the commissioner of employee relations shall consider the scientific and technical background necessary to perform the duties under sections 1 to 8.

Sec. 6. [196.24] DUTIES OF THE COMMISSIONER OF HEALTH.

Subdivision 1. INFORMATION TO HEALTH PROFESSIONALS. The commissioner of health shall provide medical information to health professionals in this state regarding the detection, diagnosis, and treatment of acute and chronic symptoms which may be associated with exposure to chemical agents, including Agent Orange.

Subd. 2. GENETIC INFORMATION AND COUNSELING. The commissioner of health, in cooperation with the health facilities of the University

of Minnesota, shall provide genetic information and counseling to veterans who have concerns regarding the possible genetic effects which may be associated with exposure to chemical agents, including Agent Orange.

Subd. 3. TECHNICAL ASSISTANCE. The commissioner of health shall provide scientific information and other appropriate technical assistance necessary to enable the commissioner to perform the duties and responsibilities required under sections 1 to 8.

Sec. 7. [196.25] CONFIDENTIALITY.

The identity of a veteran about whom information has been received under sections 1 to 8 is classified as private data pursuant to section 15.162, subdivision 5a, and may not be disclosed unless the veteran consents to the disclosure. Summary data, as defined in section 15.162, subdivision 9, derived from information received under sections 1 to 8 is public information.

Sec. 8. [196.26] CLASS ACTION REPRESENTATION BY ATTORNEY GENERAL.

The commissioner may request the attorney general to represent a class of individuals composed of veterans who may have suffered adverse health conditions as a result of possible exposure to chemical agents, including Agent Orange, in a suit for release of information relating to exposure to these chemicals during military service and for release of individual medical records.

Sec. 9. APPROPRIATION.

The sum of \$62,500 is appropriated from the general fund to the commissioner for the purpose of administering sections 1 to 8. The sum is available to June 30, 1983. The approved complement of the department of veterans affairs is increased by two positions. The commissioner shall solicit any grants, gifts, bequests, or any other donations which might be available to fund the purpose of sections 1 to 8.

Sec. 10. EFFECTIVE DATE.

Sections 1 to 9 are effective the day following final enactment.

Approved March 22, 1982

CHAPTER 514 — S.F.No. 536

An act relating to government operations; providing for powers of the Western Lake Superior Sanitary District; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; authorizing the city of Sandstone to exchange certain lands with the federal government; authorizing the city of Lake Wilson to exceed certain levy limits; authorizing Carver County, to make electronic funds transfers;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.